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**PUBLICATIONS**  
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**VOLUME XXV**



**GENERAL ASSEMBLY COMMISSION RECORDS**  
**II**

**DECEMBER 1896**



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**PUBLICATIONS**  
**OF THE**  
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**GENERAL ASSEMBLY COMMISSION RECORDS**  
**II**

**DECEMBER 1896**



THE RECORDS OF  
THE COMMISSIONS OF THE  
**GENERAL ASSEMBLIES**  
OF THE CHURCH OF SCOTLAND  
HOLDEN IN EDINBURGH THE YEARS  
1648 and 1649

Edited from the Original Manuscript by  
**ALEXANDER F. MITCHELL, D.D., LL.D.**  
And **JAMES CHRISTIE, D.D.**



**EDINBURGH**  
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**1896**

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## INTRODUCTION

THE state of my health during the last six months will, I trust, be accepted as a valid excuse for my not attempting to write so detailed an introduction to this volume of the Records of the Commission of the General Assembly as I wrote to the former one, and that this excuse will be accepted all the more readily when I state, that it has been mainly by my efforts to fulfil the work I had undertaken for this and a kindred society, that my health has given way.

By the departure of the Scottish army from England in 1646-7, the unique influence of Scotland on England in matters of both civil and ecclesiastical policy was sadly weakened; and by the ill-starred invasion of England by the Duke of Hamilton and the adherents of the 'Unlawful Engagement,' nominally to ensure the restoration of Charles to his regal power on Covenanting terms, but really to secure his deliverance from his Sectarian jailors on terms less onerous, that influence may be said to have been finally extinguished, and the calamity the invaders sought to avert rendered all but inevitable. Not that the dim idea of such a catastrophe, as was at length hurried on, had not been previously brooding in the minds of the Army leaders, and had been resolutely adopted by them when the English Parliament, under the influence of the Presbyterian party, resolved to make one more effort to negotiate a satisfactory treaty with the King. The King, according to his usual policy, haggled on various matters on which in the end he was obliged to give way, and, on the 5th December 1648, a majority of the House of



Commons voted 'that the King's offers afforded a ground of settlement.' Then, without loss of time, the leaders of the Army ventured to assail the freedom of Parliament itself, and forcibly to exclude the chiefs of the Presbyterian party from taking their seats in the House of Commons, and the House, thus maimed, recalled its former vote, and became the obedient tool of its new masters, claiming supreme power of legislation without the concurrence of the House of Lords. One of its first acts was to give effect to what had been simmering in the minds of the army leaders for months past,<sup>1</sup> and to declare the unfortunate monarch to have been the main cause of the late wars and bloodshed, and, maimed and overborne by a faction, as it was, to improvise a tribunal unknown to the constitution,<sup>2</sup> for the trial and punishment of the King. The legality of this tribunal was challenged by the King, and he refused to acknowledge its authority, or to plead to the indictment before it. He was nevertheless condemned to death,

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<sup>1</sup> This is clearly implied in various parts of the 'Remonstrance' of Fairfax and his officers, though the Remonstrance itself only came out in November 1648. See especially pp. 48 . . . 54. 'In all cases of like rebellions or civil wars, the prudence of most nations and ages (as well as the justice of the thing) has led to fix the exemplary punishment first upon the capital leader, and upon others nearest to him, and not to punish the inferiors and exempt the chiefs, so in this case it is most clear, that to fix your justice first upon the head and thereby let his successors see what themselves may expect, if they attempt the like, may hopefully discourage them . . . and so is like to be a real security,' p. 50. 'If any . . . object that the grounds foregoing . . . would extend, as well against any accommodation with him, since his person came into the Parliament's power, or at least against any restitution thereupon (without his first submitting to judgment and a change of heart and principles) and, consequently, would have served as well against that accommodation with him, and restitution of him, which the Army seemed *once* to plead for, we shall confess it, as to the main,' p. 51. And then in the following pages they enlarge on the reasons which moved them, which were, first, The Parliament's engagement with Scotland for another address to him; and second, The clause in the Solemn League and Covenant as to the preservation of the king's person, now to be ignored.

<sup>2</sup> 'The work of military violence, clothed in the merest tatters of legality . . . the small minority in Parliament, which had given the semblance of constitutional procedure to the trial in Westminster Halls, were no more than the instruments in the hands of the men of the sword.'—Gardiner's *History of the Commonwealth*, vol. i. p. 1.

and when on 30th January 1648-9, the sentence was carried out in front of his own palace of Whitehall, 'one dismal universal groan burst from the horror-stricken crowd.'

Whatever doubt may exist as to the action or inaction of the Westminster Assembly in the case of 'Archbishop Laud, there can be no doubt as to the courage and promptitude with which its leaders and the Presbyterian ministers of London generally protested against the judicial murder of the King, nor as to the earnest anxiety they showed to the last to help forward any settlement of outstanding differences, which would have saved the monarchy, and afforded reasonable security for the liberties of the Parliament and the Reformation of the Church. But their fast friends and allies, the Scotch, had long ere this returned to their homes; and, when too late, the Presbyterians in the south learned the value of their faithful warnings, and found they were indeed at the mercy of that Sectarian Army, who were bent on securing their own ends, though these should have to be gained by overturning the ancient constitution of the kingdom, and setting up in its room a commonwealth in name—an oligarchy<sup>1</sup> or military despotism in fact. The committee of the Scottish Estates had instructed their Commissioners to protest against the trial of the King, and the Commissioners of the Scottish Assembly, concurring in the protest, expressed their utter detestation of 'so horrid a design against his Majesty's person,' and disclaimed all responsibility for 'the miseries, confusions, and calamities that might follow.' Their deputy, Blair, minister of St. Andrews and Scottish Chaplain to the King, expressed himself as strongly on the enormity of this act as the most ardent Royalist could desire, and never ceased to speak of the unfortunate monarch in terms of warm affection and regard.<sup>2</sup> His early interviews with Cromwell, on the

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<sup>1</sup> 'The oligarchy which had usurped the name of a Commonwealth.'—Gardiner's *Commonwealth*, vol. i. p. 199.

<sup>2</sup> Blair's *Autobiography and Life*, pp. 214, 261, 'a good king evil-used.'

other hand, seem to have left on his mind impressions<sup>1</sup> even less favourable than those which Baxter and Ussher formed from their intercourse with him. Immediately on learning that the 'horrid design' had actually been carried out, the Committee of the Scottish Estates caused Charles II. to be proclaimed as the lawful heir of his father in the kingdoms of Scotland, England, and Ireland, and sent to their Commissioners in London a copy of the proclamation, with a remonstrance to the House of Commons, which gave so great offence to the regicides, that they first imprisoned the Commissioners, and soon after ignominiously dismissed them from the kingdom, under the escort of a troop of horse.<sup>2</sup> The Scotch sent deputies to invite the young King to come among them, subscribe their Covenants, and take possession of his throne. At first they were unsuccessful, but both Parliament and Church persevered in their suit, and at last prevailed on him to accept their invitation and terms. But he was far from sincere in the matter, and soon showed it was dire necessity, not hearty consent, which made him stoop to do so. Moreover, an extreme party had sprung up among themselves, who were too much in sympathy with the Sectaries of the south and too distrustful of their old Royalist countrymen. In their earnest desire to satisfy the scruples and disarm the hostility of these men, the more moderate party consented to measures which were harsh towards their sovereign, and towards many, who were really eager to forget past differences, and do their utmost to defend their native country against the formidable force which was now preparing to assail it. Fairfax, having refused to lead that force, resigned his office as Commander-in-chief, which was devolved on Cromwell, who did not share his scruples.

All, that the caution and skill of experienced generals could in the circumstances effect to force him back to England, was done by the Leslies and the troops under their command. But,

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<sup>1</sup> Blair's *Autobiography and Life*, p. 210, 'an egregious dissembler and a great liar.'

<sup>2</sup> See in these Minutes, pp. 229, 230, *note*.

through the interference and dictation of a Committee of the Estates,<sup>1</sup> it is said, their plans were at last thwarted, the triumph which seemed within their grasp was snatched from them, and a disaster was inflicted on the nation which was great in its immediate, and still greater in its remoter consequences. Cromwell's army, after its victory at Dunbar, returned, and for months occupied the very heart of the kingdom. Nothing remained for the young monarch after his coronation at Scone in 1651, but, as soon as he could gather together even a less disciplined army, to summon to his aid the Royalists of the south, and to try the fortune of war in England. Few of these obeyed his hurried call, and at Worcester, on 3rd September 1651 (the anniversary of the battle of Dunbar), after an obstinately contested engagement,<sup>2</sup> the Scottish army was defeated, the supporters of the ancient constitution were crushed, Cromwell 'obtained his crowning mercy,' and the Sectaries for a time became masters throughout the three kingdoms. Many fancy pictures have been drawn of the glories of that period in Scotland as well as in England, of the tranquillity of the country, the purity of the administration, and the comparative freedom and contentedness of the people. These pictures still require to be greatly toned down to bring them into fair accordance with known facts, which only the far greater severities of the later Stuart *régime* could have cast so much into shade.

There can be no question of the military genius or personal prowess or piety of Cromwell, nor of the high-toned morality of many of his *entourage*, nor of the worthiness of the ends

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<sup>1</sup> Had the Committee set about purging the Army in March 1649, when petitioned by the Commission of Assembly, the action might have been both wise and safe, but to insist on it on the eve of a battle against the remonstrances of the General was neither wise nor safe, and to that action he seems to attribute his defeat. 'I take God to witness we might have as easily defeated them as we did James Graham at Philiphaugh, *if the officers had staid by their troops and regiments.*'

<sup>2</sup> 'As stiff a contest for four or five hours as I have ever seen.'—Cromwell.

aimed at in much of his foreign and domestic policy. But the circumstances which brought him to the front, and which first tempted or shut him up to the course he thenceforth resolutely pursued, the expedients to which he had recourse on various occasions when he could not attain his ends by strictly constitutional means, made it from the first all but impossible that he should be honoured 'to bring health and cure' to the distempered nations, or should ever come to trust and be trusted by the great majority, who had been seeking, through all these commotions, not a new form of government or a new ruling dynasty, but the purification and continuance of the old.<sup>1</sup> Neither the noble qualities and aims of the man, nor the brilliancy of his military successes, nor the greatness of his influence for much immediate good at home and abroad, ought to be allowed to blind us to the falseness of the position in which he put himself toward the legitimate aspirations of the nation, nor to the unworthy trickeries<sup>2</sup> and cruelties to which at times, in maintaining his position, he condescended to have recourse, nor to the sad consequences to Puritanism

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<sup>1</sup> He had no appreciation of the instinctive horror, with which the English people regarded an army which counted its impulses as the revelation of God, . . . it was beyond his power to lay broad the foundations of the peace for which he sighed.—Gardiner's *Civil War*, vol. iii. p. 518.

<sup>2</sup> Even Neal says of his policy towards the Cavaliers, the Presbyterians, and the Republicans: 'Cromwell had the skill not only to keep them divided, but to increase their jealousies of each other, and by that means to disconcert all their measures against himself.' Vol. iv. p. 90. See also Beattie's *History*, p. 261. 'In the ascent of this bold usurper to greatness, he had successively employed and thrown away several of the powerful factions who distracted the nation. He had encouraged the Levellers and persecuted them; he had flattered the Long Parliament and betrayed it; he had made use of the Sectaries to crush the Commonwealth; he had spurned the Sectaries in his last advance to power. These, with the Royalists and the Presbyterians, forming in effect the whole people, though too disunited for such a coalition as must have overthrown him, were the perpetual, irreconcilable enemies of his administration. Master of his army, which he well knew how to manage, surrounded by a few deep and experienced counsellors, furnished by his spies with the completest intelligence of all designs against him, he had no great cause of alarm from open resistance. But, he was bound by the instrument of government to call a Parliament; and in any Parliament his adversaries must be formidable.'—Hallam's *Constitutional History of England*, vol. ii. chap. x. pt. ii.

at home and to Protestantism abroad that ultimately came of his usurpation, and the measures by which its success was ensured. Much of the hero-worship latterly paid at his shrine has been the glorification of force; and, if ever there was a case in which it might be truly said that force was no remedy, it was for that in which the Parliament and the nation found themselves in 1648. He did not attempt to loose, but only to cut the knot, overpowering, by the force of the Army, the legitimate authorities of the nation when the prospect of agreement between them was not yet abandoned,—perhaps had begun to be somewhat more hopeful. By the judicial murder of the king he outraged the feelings of the vast majority of the people, and by his whole policy he provoked and intensified that reaction which came to a head so soon after his death. His government was personal government, almost as undisguisedly as ever that of Charles had been, and it was more unblushingly based on the supremacy of the Army as ‘a providential power,’ entitled to overrule or supersede every other. It was a despotism to the core, even when it was most a paternal and religious one. And in Scotland as well as in Ireland, the paternal was ever the vanishing quantity, and the despotism pure and simple the constant one. He could confide only in his own small coterie; his power of influencing individual men, even within the Puritan circle, was but limited; he had no such gift of eloquence or electrical force as enabled him to move or control the hostile or indifferent masses, and mould them to his will. He was never content, with all the safeguards he devised, to be simply the first magistrate in a free state.<sup>1</sup>

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<sup>1</sup> He wished, no doubt, that England should be free and happy, but he wished too to be its greatest man, if not its sovereign. He had nothing of the magnanimity of Washington or Wellington. ‘To the last he was a slave of the vulgar lust of power; and to this he sacrificed both his integrity and his country, his conscience, and his peace. Of all usurpers, Cromwell was perhaps the best—the best of a race which merits the indignation of mankind.’ ‘To govern according to law may sometimes be an usurper’s wish, but can seldom be in his power. The Protector abandoned all thought of it. Dividing the kingdom into districts, he placed at the head of each a major-general as a sort of military



Even the Parliaments, elected under the regulations drafted by him or his Council, did not prove obsequious to his will, and were only a little less respectfully dismissed than the Long Parliament had been. Whatever he may have tolerated in religion, he did not tolerate freedom of church government in England,<sup>1</sup> still less in Scotland. Notwithstanding all his advances, that country continued in a state of sullen discontent, if not of veiled rebellion. Not only was the General Assembly dismissed in 1653, and prevented from meeting in 1654, but the synods and inferior courts at times were vexatiously interfered with, and dispersed; and the decisions of presbyteries in the settlement of ministers, even when based on the call of the people, were often overruled. I have recently had occasion to examine the records of the Synod of Perth and Stirling during the period, which show a state of repression in that central province more systematic than previous researches had prepared me to expect.<sup>2</sup> It was the temporary success of his repressive

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magistrate responsible for the subjection of his prefecture. These were eleven in number, men bitterly hostile to the Royalist party and to all civil authority. They were employed to secure the payment of a tax of ten per cent., imposed by Cromwell's arbitrary will on those who had ever sided with the King during the late wars, when their estates exceeded £100 *per annum*. The major-generals, in their correspondence printed among Thurloe's papers, display a rapacity and oppression beyond their master's. They complain that the number of those exempted is too great; they press for harsher measures; . . . they dwell on the growth of malignancy and the general disaffection. It was not, indeed, likely to be mitigated by this unparalleled tyranny. All illusion was now gone as to the pretended benefits of the civil war. It had ended in a despotism, compared to which all the illegal practices of former kings, all that had cost Charles his life and Crown, appeared as dust in the balance. . . . That between party and party the ordinary civil rights of men were fairly dealt with is no extraordinary praise; . . . but it is manifest that, so far as his own authority was concerned, no hereditary despot, proud in the crimes of a hundred ancestors, could more have spurned at every limit than this soldier of a commonwealth.'—Marsden's *Later Puritans*, pp. 400-403, also Hallam's *History*, vol. ii. ch. x. pt. ii.

<sup>1</sup> The church there was rather, as one has said, a mere institute for preaching and expounding the Word of God, than for the administration of sealing ordinances or the exercise of ecclesiastical discipline. Hence the number of children which grew up unbaptized, and the need for a form of adult baptism.

<sup>2</sup> In October 1651, there was no meeting of synod—'the English army having overspread the land, and garrisons being planted both in Perth and Stirling, and

policy, I believe, which emboldened Clarendon in England, and Sharp in Scotland, to pursue their far more rigorous and cruel courses. After the death of Cromwell, the motley fabric he had reared fell of its own accord. His son Richard abdicated the office of Protector, as soon as he found he could not count on the support of those who had followed the fortunes of his father. The officers of the army would have liked to retain the supreme control of affairs in their own hands, but, uncertain of the attitude of Monk, and the Scottish division of the Army towards themselves, or to the exiled prince, they

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no safety for travelling, nor liberty for the brethren to convene.' The following year, the synod met at Dunning, but were kept out of the church by a popular tumult, apparently encouraged by those who favoured the English faction. In October 1653, the Synod met at Dunblane, and, 'considering the poverty of the number, and also the want of freedom, being interrupted by the soldiers of Captain Robertson's command,' then lying at Dunblane, they unanimously adjourned the synod till the following spring, protesting on the interruption of the soldiers, 'that this interruption should be no prejudice to their liberty to meet again, according to the power given them by Jesus Christ, to assemble as well as to preach, in regard the Word of God, the Solemn League and Covenant, the Acts of the General Assembly, and the laws of the land all allowed it.' They did not meet again till October 1654, and, expecting to be again interrupted, before taking up any other business, they made arrangements for their next meeting, as well as for the change of the time and place for it, if these should prove unsuitable or unsafe. They met again in April 1655, and, hearing that a party of soldiers was coming to interrupt their meeting, they improved on the innovation of the preceding year, and resolved not only to fix time and place for their meeting, but to transact their business before the usual sermon, and the arrival of the soldiers, who apparently had been timed not to arrive till after sermon. That was not interrupted by them, but, immediately after, an English officer commanded the Assembly to dissolve, and being asked to show his warrant for what he did, he refused, and threatened, and actually did use, violence; whereupon the moderator, after the usual solemn protest, dissolved the meeting. See also Beattie, pp. 232-236. The meeting of the Synod of Fife was also interfered with on one occasion, and in a paper subscribed by Rutherford and other leading Protestors in 1653 they said, 'Our souls are also grieved with the encroachments, that are made by the civil power upon the privileges of the church, in the power of her courts and judicatories in the admitting and removing of ministers; and by their disposing upon their maintenance and stipends at pleasure; these church privileges being not only allowed and confirmed by the laws of the land, but founded on and consonant to the Word of God.' . . . They further complain that 'these powers had given express inhibition to the colleges and universities of this land anent the taking of the Covenant . . . a demonstration clear enough, that it is intended that it should be no more had in remembrance.'—*Blair's Autobiography and Life*, p. 305, note. See also Baillie's *Letters* of 1654.

consented to recall the 'Rump' of the Long Parliament, which, in 1658, Cromwell had contemptuously dismissed; and it continued to direct the government of the kingdom for a time. After Monk came with his forces to London, and was welcomed by its citizens, the 'excluded members' were encouraged again to take their seats, and so the last legally elected Parliament (whose rights, Bradshaw had told Cromwell, were not invalidated by his act of dismissal) was peacefully reinstated at Westminster. Without delay it fell back on its old traditions; restored the Solemn League and Covenant to its place of honour in the House, and in the churches; re-approved without qualification of all the chapters of the Confession of Faith, save Chapters xxx. and xxxi., and recognised the Presbyterian government of the Church, but with a toleration for tender consciences. And these, rather than the older arrangements of 1648, are those by which the spirit of English Presbyterianism ought in fairness to be judged. Having provided for the assembling of a Parliament more truly representative of the nation, and more in the old form, this memorable House of Commons then agreed to its own dissolution. The new House of Commons was elected by a wider constituency than Cromwell had ever ventured to intrust with such a power, and a number of old Cavaliers found places among its members. They were not so powerful in it, however, as they were soon to become, and, in all probability, it would have listened with favour to the proposal of Sir Matthew Hale, that, before his restoration, conditions should be arranged with the King for securing the liberties of the nation and the reformation of the Church. But those in the more immediate confidence of Monk, as well as Hyde and others about the King, dreaded such a movement, and did their utmost to hurry on the Restoration while the favourable impression produced by the Royal Declaration for 'toleration to tender consciences,' issued from Breda, was still at its height. Thus, in the exuberance of an unsuspecting loyalty, all was confided to the honour of the King, and on the 29th

of May 1660, he was welcomed to London with unbounded enthusiasm and joy. There is no reason to suppose that the King himself meant deliberately to mislead those who had so implicitly confided in him. Indeed, the Declaration he issued in October 1660, and the offers of promotion in the Church, which he made to leading Puritans, seem to show the contrary, and that he would have been gratified to have been the means of bringing about a better understanding between the old Cavaliers and the moderate Puritans, who had united in doing him so signal a service. But he was not thoroughly in earnest in the matter, and was not resolute in his course. Things were allowed to drift, and on the 25th November 1660, his Declaration<sup>1</sup> was rejected in the House of Commons by a majority of twenty-six, and the fatal step taken towards that schism which divided the English nation, and has continued to divide it down to the present day.

The fate of Scottish Presbyterians was even more tragic than that of the English. Thrown off their guard by an ambiguous letter from the King, and the representations of their envoy, in whom they placed too implicit confidence, they took no active measures to secure the hardly-won liberties of their church till it was too late. That church, which was dear to the Scottish people, and had suffered so much at the hands of Cromwell and the Sectaries for its steadfast loyalty, was, in a drunken fit, deprived by the Parliament of the legal securities which his father had ratified, and the King himself had sworn to maintain. It may be impossible now to tell accurately, how far Sharp, their trusted envoy, was the dupe of Monk and Sheldon, and how far he was their willing tool. But the result was as fatal to his country and himself as if it had been deliberately planned; and English statesmen and their Scottish dupes or tools had determined to make of Scotland a second Ireland. What Henderson had feared in 1643 had now come on them, when they were exhausted with their long struggle,

<sup>1</sup> *His Majesty's Declaration to all his loving subjects of England and Wales, concerning Ecclesiastical Affairs*, London, 1660.

and unable effectually to oppose it. But they were to prove by their heroic endurance of oppression and cruelty, the constancy of their attachment to their beloved Presbytery, and at last to win back, by these means, what they had previously thought could be gained and retained only by force of arms.

The General Assemblies of 1648 and 1649, with the proceedings of whose Commissions this volume is occupied, were of special importance in the history of the Covenanting Church, and are the last of these Assemblies whose public Acts were printed at the time and have been preserved to posterity. In that of 1648 the approval of the Church was given to the Catechisms Larger and Shorter drawn up by the Assembly of Divines at Westminster with the assistance and approval of Commissioners from the Church of Scotland. The Directory for Public Worship and the Propositions concerning Church Government, now generally called the Form of Church Government, had both been approved by the Assembly of 1645, and the Confession of Faith by the Assembly of 1647, all, so far as appears, without having been previously printed and sent down to the presbyteries of the Church for their consideration, but with regard to the Confession the utmost pains had been taken that ample opportunity should be given to all, who had anything to object to the document, to appear before the committee appointed by the Assembly to deal with their objections. This exceptional course is said to have been adopted, because, though favourably received by the House of Lords, the Confession was being discussed with great minuteness and tediousness in the House of Commons, and it was hoped that this Act of the Scottish Assembly would prevent them from mutilating or even altering it.<sup>1</sup>

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<sup>1</sup> However, they made a few verbal alterations on it and altered the title to 'Articles of Christian Religion approved and passed by both Houses of Parliament,' etc. But all these minor alterations were expunged in 1659-60 by the restored Long Parliament and the Assembly's title replaced, though, as previously, sanction was still withheld from chapters xxx. and xxxi. treating of matters in which Presbyterians and Independents differed.

The approval of the other documents, however, was deferred, until they should be sent down to presbyteries, and their suggestions regarding them returned to the succeeding Assembly. The Catechisms, Larger and Shorter, which have ever since been retained as catechetical expositions of the faith of the Church, were accordingly approved by the Assembly of 1648. The cxi Anti-Erastian Propositions of Gillespie, which also were sent down to them and to the theological faculties of the Universities, were yet again deferred by this Assembly. The Directory for Church Government, compiled as a more practical model of Church Government than the Propositions previously approved, and pronounced by Baillie a 'very excellent and profitable piece, the fourth part of our Reformation,' was, according to the same authority, owing to the pertinacious opposition of Mr. David Calderwood 'shuffled by' and remitted to the next Assembly, where again it was remitted to the Assembly of 1650, the Acts of which are not extant. The 'Paraphrase of the Psalms,' that is, the new metrical version of the Psalms, was first draughted by Rouse, a member of the Long Parliament, then revised by a committee of the Westminster Assembly, and then by a committee of the Scottish Assembly of 1647. The Assembly of 1648 once more sent it down to presbyteries for additional suggestions, distinctly intimating that, even if the presbyteries were negligent in the matter, the next Assembly was 'to go on and take the same paraphrase into their consideration without more delay.' The result of their consideration was that, 'finding they cannot overtake the review and examination of the whole in this Assembly, . . . they do ordain the brethren appointed for perusing of the same during the meeting of this Assembly . . . after the dissolving thereof to goe on in that worke carefully, and to report their travels to the Commission . . . at their meeting at Edinburgh in November; And the said Commission after perusal and re-examination thereof is hereby authorized with full power to conclude and establish the Paraphrase and to



publish and emit the same for public use.' The Commission accordingly at various diets of its November meetings diligently went over it once more, and on the 23rd of that month they approved of that Paraphrase, as it was then corrected, and, 'according to the power given them by the Assembly' they appointed it 'to be printed and published for public use . . .' authorizing the same to be the only Paraphrase of the Psalmes of David to be sung in the Kirk of Scotland, and discharging the old Paraphrase, and any other than this new Paraphrase, to be made use of in any congregation or family after the first day of May 1650.' They recommended presbyteries to make intimation of the Act, and to see that it was duly observed; and then intrusted to the Moderator and ministers of Edinburgh, or any three of them, with the Clerk, to give orders for the printing of it, to superintend the correction of the press, and to fix the price for the copies of the various editions, so as that printers and stationers may neither wrong the people, nor any of them another.<sup>1</sup>

Another subject which engaged the attention of these Assemblies and their Commissions deserves a brief notice. This was the abolition of Church patronage, petitioned for by the Commission of Assembly 1648, and granted by the Parliament on 9th March 1649. As is well known, the system of appointment practised in Knox's congregation at Geneva and favoured by his Book of Common Order, as well as by the First Book

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<sup>1</sup> The Act is given *in extenso* at p. 328 of this volume. For a full account of Rouse's Psalter and the changes made on it, see pp. 525 to 556, vol. iii. of Mr. Laing's edition of *Baillie's Letters*. For a similar account of the previous Psalter, see the Introduction to the monumental work of the Rev. Neil Livingstone, *The Scottish Psalter of 1635*. 'This new translation of the Psalms of David in metre comes nearer to the original Hebrew than the former one, as also the whole Psalms are translated [so as to be sung] to common tunes, whereas in the former there were many proper tunes. There be proper tunes also in this translation but withal there is adjoined common tunes with these. This translation was practised the 2 of June 1650 at Largo Church in the presbytery of St. Andrews, as also throughout the rest of the presbytery and appointed with all diligence to be put in practise through the rest of the presbyteries of the kingdom.'—*Lamont's Chronicle of Fife*.

of Discipline, was a species of popular election; and possibly while the old incumbents continued to receive the teinds of their respective parishes, or at least two-thirds of them, the ministers of the Reformed congregations in Scotland were popularly elected. But, the Act of 1567, which first gave them an effective share in the temporalities, expressly stipulated that the rights of laic<sup>1</sup> patrons in the appointment of ministers should be reserved to them. Only a part of the churches, however, were then under lay patronage—a larger number, called patrimonial, having before the Reformation been surrendered by the founders or their successors to the Monasteries, or to the Bishops and other dignitaries of the Church; and it was contended that these might still be filled by election not being *laic* patronages.<sup>2</sup> This state of matters was to a great extent put an end to, when these benefices were ‘erected,’ as it was termed, into temporal lordships by the King and confirmed by Parliament, and possibly the restrictive clause embodied in the later Act of 1592 was intended to subject them also to patronage. But the Second Book of Discipline had included patronage among the abuses they craved should be reformed; and, when the Act of 1592 was revived in the Parliament of 1640, it was expressly provided that in all these churches, ministers were to be settled, on the suit and calling of the congregation, ‘as freely as they had been, or might have been, in former times.’<sup>3</sup> The Act of 1649 was the natural complement of the Act of 1640, and was ostensibly adopted to give effect to the desire expressed in the Second Book of Discipline, that ‘the liberty of the election of persons callit to the ecclesiastical functions, and observit without interruption, swa lang as the kirk was not

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<sup>1</sup> The word used in the Act of Parliament is the old Scotch word ‘lawit,’ which lawyers now generally regard as identical with laic, though I have met with some who held it to be identical with lawful.

<sup>2</sup> See ‘Statement to Her Majesty’s Government on the Law of Church Patronage in Scotland prepared by a Committee of the General Assembly,’ 1870.

<sup>3</sup> Act Rescissorie, 6th June 1640, *Acts of Parl. Scot.* vol. v. pp. 277, 278.

corruptit be Antichrist, be restorit and reteinit within this realm, swa that nane be intrusit upon ony congregation . . . without lawful election and the assent of the people.'

In 1690 the restrictive clause in the Act of 1592 as to patronage was expressly excepted from confirmation, when that Act was ratified anew; and, by a subsequent Act of the same Parliament, Patronage was again abolished. But, against the earnest remonstrances of the Church, it was unfortunately restored by Queen Anne's Parliament in 1712, and was the main occasion if not the main cause of almost all the secessions from the church,<sup>1</sup> even of that of 1843, and it was not finally got rid of till 1874.

Full details are also contained in this volume of the negotiations entered into between Charles II. and the deputies of the Scottish Estates and of the Commission of the Church, as to the terms on which they were prepared to admit him to the exercise of his royal power. Those entered into in 1649, and carried on at the Hague, between the last week of March and the first week of June, failed to lead to a full agreement. Before the close of the year, Winram of Liberton was sent to arrange, if possible, for a renewal of the negotiations. In this he was successful, and the negotiations were accordingly resumed at Breda, and carried on there during the months of April and May 1650, but only brought to a satisfactory conclusion after the King and the Commissioners had taken ship for Scotland. And it soon became all but too evident that the King, while accepting the terms insisted on, was far from whole-hearted in the matter. He did not realise, perhaps had not seriously made the attempt to realise, how different from that to which he had been accustomed, was the life he had now by solemn covenant engaged to lead, and must endeavour to lead, if he would gain and retain the affections of his cove-

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<sup>1</sup> Macaulay does not hesitate to say, 'From the Act of 1712 undoubtedly flowed every secession and schism that has taken place in the Church of Scotland.'—*Speeches*, vol. ii. p. 180.

nanted subjects. And in their too great rigorousness and narrowness, these did not make the path so easy and attractive, as they ought to have done, to one still so young and inexperienced, and previously so differently trained.

The Marquis of Montrose, 'that excommunicate and forfeited traitor,' who before had striven unsuccessfully to retrieve the waning fortunes of Charles I., by letting loose on his countrymen a horde of wild Irish that had already imbrued their hands in the blood of the Ulster Scots, after being forfeited and outlawed by the Estates, had, at the earnest entreaty of the King, had his life given him for a prey. Yet, on the eve of the negotiations at Breda, he ventured once more to tempt his fate, and by the flattery of Charles II. and his little Court was lured on to his doom. 'He had sworn that if ever Charles did enter Scotland it should be with no shackles of Covenant or Presbytery. More than anything else, his passionate remonstrances had helped to break off the Treaty at the Hague;' and in an evil hour for himself he followed this up by accepting a commission, with the aid of foreign auxiliaries, anew to carry fire and sword among his fellow-countrymen. Appointed Lieutenant-Governor and Captain-General for his Majesty in Scotland, as well as Captain-General of all his Majesty's forces raised, and to be raised, for his service in his kingdoms of Great Britain, he issued a Declaration, or rather two Declarations—the one on 9th July 1649 and addressed specially to England, and the other early in November and designed exclusively for Scotland—both of them arrogant and minatory in tone, and the one grossly inconsistent with the other.<sup>1</sup> As if abundantly furnished with men

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<sup>1</sup> For example, in the July Declaration it is charged against the English Covenanters that after engaging, *inter alia*, for the preservation of his Majesty's royal person, that 'as for his Majesty's sacred person it was preserved indeed, but to a miserable catastrophe, for after . . . being delivered up to them *upon their faith and the faith of the kingdom* . . . they bring his sacred person to the mock bar of justice' (p. 443). This manifestly refers to the stipulations, exacted by the Scottish Commissioners from the English, before surrendering the King to

and money he summoned dictatorially to his standard 'all who had any duty left them to God, their King, country, homes, wives, children, or who would change now at last the tyranny, violence, and oppression of these rebels with the mild and innocent government of their just Prince,' solemnly protesting 'never to lay down arms, not doubting of God's assistance to hold them up, until I have reduced all rebels to their due obedience . . . and I will, with all violence and fury, pursue and kill them as vagabonds, rogues and regicides, not sparing one that had any hand in that barbarous murder . . . but utterly extirpate and eradicate them, *their wives, children and families*, not leaving one of their cursed race, if possible, upon the face of the earth.'<sup>1</sup> In short, this new crusade was meant to be a repetition of his former one with all its licence and butcheries, but, as a gracious Providence was pleased to order, it was to be so only in the utter rout in which it ended. After 'much fussy diplomacy,' at continental courts, especially at Copenhagen and Stockholm, he crossed over from Gottenburg to the Orkneys late in March; and in April, when the Treaty at Breda between Charles and the Covenanters was actually being negotiated, Montrose and 'his motley army of 1500'<sup>2</sup>

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them, that his Majesty should be in honour, freedom, and safety, in one of his houses near London. And yet, in the November Declaration, the Scotch are charged with having *sold their Sovereign to their merciless fellow-traitors* to be destroyed' (p. 446). The reply of the Commission to this charge will be found in full on p. 345. 'This kingdom was so far from making any sale of him, that they did not condescend to leave him with his subjects in England until sufficient security was given by both Houses of Parliament concerning the safety and preservation of his Majesty's person.'

<sup>1</sup> See them at length in the Appendix to this volume, pp. 441 to 447.

<sup>2</sup> May, writing from Orkney to Charles's Secretary on 30th March, says, 'His excellence marches with 2000 men besides those left behind to secure General King's landing.' This is the same General King who fought on the royalist side in 1644, was forfeited by the Estates, in 1646-7, professed penitence, was restored, and at his earnest request was admitted to sign the Covenants, and was allowed to leave the kingdom to enter into military service in Sweden. See note, p. 584 in former volume of these Minutes. See also the full text of May's letter (*Charles II. and Scotland in 1650*, p. 49) whence we learn in what a fool's paradise they were living, reporting that the impotency of the country for their entering

Germans, Danes, and Orkney men, officered by refugee Scots, with the notorious renegade Sir John Urry as their Major General, had passed to the mainland and begun their southward course from John O'Groats. . . . Through the shires of Caithness and Sutherland he had advanced amid, or toward, the Highland material of Grants, Gunns, Mackenzies, and what nots, the explosion of which by his presence, as in his great Highland marches of 1644-5, was the climax of his calculations. Somehow this time the material would not explode. The Seaforth Mackenzies did not rise in front of him. . . . The Earl of Sutherland was on the alert to protect his region. David Leslie's army, which had marched north-west from Brechin, was not now far off. A detachment of it, at least, was much nearer than Montrose imagined. On Saturday April 27 he was lying at Corbiesdale in Strathoikel, North Ross-shire, when Lieutenant Colonel Archibald Strachan, with a body of Leslie's horse, fell upon him by an adroit ambushade, and there was a repetition of Philiphaugh. Much worse! Among the killed were eleven officers, . . . nearly all the rest were made prisoners . . . Montrose himself, who had been wounded, and his friend the Earl of Kinnoul, were among the few that escaped.'<sup>1</sup> They wandered up Strathoikel into the higher range of mountains lying to the west and suffered both from hunger and cold. His companion succumbed under

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had been very extraordinary, and that they were expecting not only General King and his troop, but that Middleton also was expecting, or waiting, for his Majesty's Commission, in order to join them and bring off with him a large part of Leslie's horse. But the movements of this versatile officer had been rather closely watched of late by the authorities both in Church and State, and if he did defy the Commission in 1648-9, and ignore their summons, he did not dare to defy the Assembly of 1649 or refuse to appear before their Committees. See Nos. 12, 21, 49, 111, 149, 231 in the Index to the unprinted Acts of that Assembly, also Baillie's *Letters*, vol. iii. p. 95.

<sup>1</sup> Masson's *Life of Milton*, vol. iv. p. 184. The name of the site of the battle as given by Masson, Hill Burton, and Napier, is Corbiesdale, but in Mr. Gardiner's more recent volume it is Carbisdale. In the *Deeds of Montrose* both forms are used.

these hardships, and Montrose himself, casting away his military cloak, his sword and seal, and even the brilliant star he had just before received from his sovereign, nay, disguising himself in a peasant's dress, had to plod on his way alone or with a single attendant, with as little prospect of relief from man as ever persecuted Covenanter in the killing times, amid the mosses and moors of the south; renouncing, let us hope, his rash threats, 'never to lay down arms but with all violence and fury to pursue, and kill,' and 'extirpate,' not only rebel men, but even their wives and children, and rather striving to realise the full meaning of the nobler words, in which he had acknowledged the last mark of his sovereign's favour, 'I can make your Majesty no other humble acknowledgment, but with the more alacrity and beseemingly abandon still my life to search my death in the interests of your Majesty's honour and service.' For 'his work as an active restorer of a system of government, which the progress of events had rendered for ever impossible, was now at end.'<sup>1</sup> It is clear from his Declarations that he clung tenaciously to the idea that the nation's right to its liberties and religion depended solely on the good pleasure of its Sovereign, 'whilst his antagonists had some idea of the value of constitutional forms and national rights, even when they strained them to suit their own purposes.'<sup>2</sup>

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<sup>1</sup> Gardiner's *History of Commonwealth*, vol. i. p. 246.

<sup>2</sup> *Ibid.* p. 250. It may be fairly questioned whether they gave any real ground for such a charge at that crisis. Few nobler testimonies to the principles of constitutional government were furnished in that age than the one which had been borne by the immediately preceding Assembly (1649) in its *Seasonable Warning*, possibly intended as a rejoinder to Montrose's Declaration of 9th July, 'A boundless or illimited power is to be acknowledged in no king nor magistrate. Neither is our king to be admitted to the exercise of his power, so long as he refuses to walk in the administration of the same according to this rule and the laws of the kingdom, that his subjects may live under him a quiet and peaceable life in all godliness and honesty. There is a mutual obligation and stipulation betwixt the king and his people. As both of them are tied to God, so each of them are tied one to another for the performance of mutual and reciprocal duties.' Then they quote at length, in proof of this, the Scottish coronation oath taken by Charles I. and soon after to be taken by his son, and

On the fourth day Montrose was taken by a party sent out to search for him by Macleod of Assynt, or his young wife, who was the daughter of a keen Covenanter. Macleod himself, it is said, had formerly been friendly to Montrose, who pleaded hard with him to let him go, or to go with him, to the Orkneys, but he had now come under the protection of the Earl of Sutherland and had been appointed by him sheriff-depute of the district. It would have been gross treachery in him, as sheriff, to have connived at the escape of the prisoner, and when Major Holborn arrived with orders to bring away the prisoner he delivered him up as in duty bound. He was removed to Edinburgh 'in too ignominious a way,' if we may venture so far to extend the application of the words which one of the best of the Covenanting ministers applied to the indignities inflicted on him at his entry into that city.<sup>1</sup> And

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inserted in full in that Covenant, which Montrose to the last admitted he had taken, and affirmed he meant to abide by, oblivious apparently that it contains a clause hard to be reconciled with his later principles and practices, 'We promise and swear, that we shall to the uttermost of our power with our means and lives stand to the defence of our dread Sovereign the Kings Majesty, his person and authority, *in the defence and preservation of the foresaid true religion, liberties, and laws of the kingdom*, as also to the mutual defence and assistance every one of us of another in the same cause of the true religion and his Majesty's authority. . . . And that we shall *neither directly nor indirectly suffer ourselves to be divided or withdrawn* by whatsoever suggestion, combination, allurements or terror from this blessed and holy conjunction . . . and if any such dangerous and divisive motion be made to us by word or writ, we and every one of us shall either suppress it, or, if need be, *incontinent make it known* that it may be timeously obviated. *Neither do we fear the foul aspersions of rebellion*, combination or what else our adversaries from their craft and malice, would put against us.'

<sup>1</sup> Blair's *Autobiography*, p. 224. Baillie probably shared the views of Blair, but, strange to say, he has given no account of the imprisonment or execution of Montrose, though he, as well as Blair, on one occasion was in his cell along with the other ministers, and, it is said, was even admitted to converse with him, apart from the others. Of course it was not the General Assembly (Gardiner, p. 249), but the Commission of the General Assembly which deputed certain ministers to visit the prisoner and offer him release from the sentence of excommunication if he would acknowledge how grievously he had offended in associating himself with the Irish Papists, and so lavishly shedding the blood of his countrymen, and burning and harrying in Breadalbane and Argyll. But no acknowledgment could be drawn from him by Blair and Baillie any more than by the less placable Law and Guthrie: 'no satisfaction of any kind did he give.'



this could not fail to evoke sympathy for him even on the part of many who did not share his views, or laud his deeds.

Hill Burton in his *History*<sup>1</sup> has well said, 'In the natural course of political cause and effect, death was his portion, and it is an idle waste of words to reproach those who, in fulfilling that fate, could not only justify themselves, but plead the command of political duty. It is likely enough that the tragedy was not performed in good taste, and that ribaldries and humiliations unsuited to so solemn an occasion were heaped upon the victim. But these are accusations about which, as about floating scandals, it is well not to indulge in much comment and discussion. To cast humiliation on the fallen enemy was an ungraceful habit of the day, in which the Covenanters took their full share. But to exaggerate, and sometimes to invent, stories of such humiliations was another practice of the age,' and it is sometimes well to leave the one to neutralise the other. Party feeling at the time ran very high. He and his opponents both appealed the cause to that higher Judge whose judgments are ever according to truth. At His august tribunal posterity may well be content to leave it. If his conduct under his sad reverse was noble and heroic, so also was that of his chief opponent, Argyll, when his day of trial came, his sleep as undisturbed, his peace of mind as full, his trust in God as assured. The same cathedral now enshrines the monuments of both, and we may charitably hope that notwithstanding grave errors and shortcomings they have yet found rest in one home above.

Few things grieve Scottish Presbyterians (and with the exception of a small minority all Scotsmen are Presbyterians to this day) more than that there are still English historians who permit themselves to speak of the Covenanting *crew* and the Covenanting *idol*. They would not permit themselves to deal out such measure either to the Independents or the Cavaliers,

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<sup>1</sup> *History of Scotland*, vol. vii. p. 6.

but though they, the Covenanters, likewise had their faults and foibles, they were neither inferior to the others in the motives which actuated them, nor in self-sacrificing devotion to the cause they had espoused. When they might have rested quietly at home and enjoyed the privileges they had won, they cast in their lot with their less fortunate brethren in England. Bidding away the suggestions of worldly prudence, they resolved as with one heart and one soul, for the sake of that Protestant faith which was dearer to them than life, to put in jeopardy all they had gained, and to make common cause with their English brethren in the time of their sorest need. If ever nation swore to its own hurt and changed not, made sacrifices ungrudgingly, bore obloquy and misrepresentation meekly, and had wrongs heaped on it most cruelly by those for whom its self-sacrifice alone opened up a career, it was the Scottish nation at this eventful epoch in British history. The Covenant was no mere idol to them, but the symbol of whole-hearted consecration to the service of God, as Knox had taught their fathers and Henderson had reiterated to themselves. Their ideal was that Scotland as a nation, should be to Him, what Israel of old had been; and that also was what the great mass of the Puritans in the south desired for England, however far short in practice either or both may have come. The English Parliament in 1643 did not disdain to speak of the League and Covenant now so scorned as 'the sovereign and only means of their recovery,' 'a happy bond for putting an end to the present miseries and for saving of *both King and kingdom*,' and they were careful to explain as to the unfortunate word 'extirpate,' that no man was to regard himself as thereby bound 'to offer any violence to their persons, but only, in his place and calling, to endeavour their extirpation in a lawful way.' The Lancashire ministers 'judged the day of entering into it to be England's coronation day, as it was the day of the gladness of their hearts.' The Assembly of Divines approved of it with great unanimity and 'the renowned city of London with hardly less.' Nor were thoughts of its

influence on posterity absent from the minds of Caryl and the best of the Independents: 'Heartily beseeching God, who keepeth covenant for ever, to strengthen us all in performing the dutie we have promised in this Covenant . . . that the children which are yet unborn may bless us and bless God for us.' On the 25th September 1643 two hundred and twenty-eight members of the House of Commons lifted up their hands to heaven worshipping the great name of God and promising to be faithful in His covenant; and among these stand the names of the Venns, father and son, and of Oliver Cromwell, who, like Philip Nye, at that juncture was either not disinclined to make common cause with his Presbyterian fellow-countrymen, as well as with the Scotch, or wishful not to be thought so just yet. And had he not, tempted by his own ambition or the urgency of his fellow-officers, used violence first to the Parliament and then to the king and the constitution of the kingdom, and so hopelessly separated the two wings of the Puritan Party, a happy settlement even of the grave differences that had emerged, might possibly have been attained, without that long and weary double swing of the pendulum first to republicanism and then back to an oppressive and persecuting monarchy, ere the blessed era of the Revolution of 1688 was reached.

It was not from any vulgar desire of domineering over England, that the Scotch Commissioners pressed so persistently on Charles the maintenance of the Covenant there, but from determination to stand by their Covenanting brethren in the south, whom, notwithstanding recent events, they still believed, and rightly believed, to be the strongest of the three parties in that kingdom, and by whose help alone, proffered at the risk of their lives, they hoped to be able to secure permanently for Charles the throne of England as well as Scotland.

My best thanks are due to my old friend Dr. Christie, for the ungrudging help he has given me in the revision of the

proofs, as well as to Mr. Mill of the Signet Library for his kindness in preparing a copious index to this volume.

ALEX. F. MITCHELL.

ADDITIONAL NOTE.—Montrose's November Declaration, p. 444. Can the learned editors of the recent 'édition de luxe' of the *Deeds of Montrose* inform us whether the Latin quotation prefixed to this Declaration is to be found in any one continuous passage in the writings of Tacitus? My studies for full fifty years past have not been in the classical languages, but two friends here whose studies have been chiefly in that department assure me that it does not occur as one connected passage, but is an amalgam of four different clauses, three of which are to be found in two separate chapters of the first book of the *Annals*, and the fourth in the first chapter of the first book of the *History*. Even if this is so, there is something still to be accounted for, for the two first words are not found in connection with the two which follow, and the important word *redire*, on which the applicability of the quotation chiefly turns, if found in any edition, generally yields its place to the word *conferri*.

[In tantâ] reipublicæ necessitudine [*Ann.* i. 9],<sup>1</sup> suspecto senatûs populique imperio, ob certamina potentium, et avaritiam magistratuum, invalido legum auxilio, quæ vi, ambitu, postremo pecunia turbabantur, [*Ann.* i. 2] omnem potestatem ad unum redire (?)<sup>2</sup> pacis interfuit, [*Hist.* i. 5] non aliud discordantis patriæ remedium quam ut ab uno regeretur [*Ann.* i. 9].

If this is the real *genesis* of the quotation, then I think there can be little doubt that it must be regarded as the work of Wishart, rather than of Montrose, and that probably the Declaration itself was drafted by him.

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<sup>1</sup> Also *Hist.* i. 1.

<sup>2</sup> 'conferri' in many editions.

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## CORRIGENDA

p. 215 note. For 211, read 212.

p. 217 note. ,, 1561, ,, 1651.



**THE ACTS AND PROCEEDINGS  
OF THE COMMISSION OF THE  
GENERALL ASSEMBLY HOLDEN  
AT EDINBURGHT IN THE YEIR  
1648**

**VOL. II.**

**A**



THE COMMISSION GRANTED BY THE  
LATE GENERALL ASSEMBLY,

*Edinburgh, 11 August 1648, ante meridiem,  
Sessione 39.*

RENOVATION OF THE COMMISSION FOR  
THE PUBLIK AFFAIRES OF THE KIRK.

THE Generall Assembly taking to their consideration that in respect of the great worke of Vniformity in Religion in all his Majesties dominions is not yet perfected (though by the Lords blessing there is a good progresse made in the same) there is a necessitie of renewing the commissions granted formerly for prosecuting and performing that great work; Doe therefore renew the power and commission granted for the publik affaires of the Kirk by the Generall Assembly held at St. Andrews 1642, and at Edinburgh 1643, 1644, 1645, 1646 and 1647, vnto the persons following, viz.—Masters John Lawder, Andro Wood, David Calderwood, Robert Ker, John M'Ghie, John Knox, John Sinclair, John Adamson, Robert Douglas, George Gillaspie, James Hamiltoun, Mungo Law, John Smith, Robert Lawrie, George Lesly, John Weir, Robert Elliot, Alexander Dickson, Patrick Fleeming, Thomas Vassie, Ephraim Melvill, Hew Kennedy, Kenneth Logie, Alexander Livistoun, George Bennet, David Weemes, William Row, Robert Young, William Meinzie, John Friebairne, John Givan, Harie Gutterie, Andro Rinnie, David Achterlonie, Samuell Owstaine, Thomas Hendersone, Charles Archbald, Andro Lawder, John Livistoun, John M'Clellan, Alexander



Turnbull, William Foullartoun, George Hutcheson, John Gemmill, Patrik Colvill, James Fergusson, Hew Peebles, John Hamiltoun, Alexander Dunlope, David Elphistoun, David Dickson, Robert Baillie, Robert Ramsay, Patrik Gillaspie, Patrik Sharpe, James Nasmith, John Home, Evan Cameron, Robert Blair, Samuel Rutherford, David Forret, Robert Traill, Andro Bennet, Walter Greig, John M'Gill younger, Fredrick Carmichaell, John Muncreiff, John Chalmers, John Duncan, Andro Donaldson, William Oliphant, George Simer, Andro Affleck, Arthur Granger, David Strachan, Andro Cant, John Row, John Paterson, Alexander Cant, John Young, John Seaton, David Lindsay at Belhelvie, Nathaniell Mairtein, John Annand, William Falconer, Joseph Brodie, Alexander Simer, William Chalmer, Gilbert Anderson, David Rosse, George Gray, Robert Knox, William Penman, James Gutterie, Thomas Donaldson, William Jameson, Thomas Wilkie, James Ker, John Knox, Andro Duncason, *Ministers*; Archbald Marques of Argyle, Alexander Earle of Eglington, John Erle of Cassills, William Earle of Lothian, Archbald Lord Angus, William Lord Borthwick, [John] Lord Torphichen, John Lord Balmerino, Robert Lord Burley, James Lord Couper, [John] Lord Kircudbright, [David] Lord Elcho, Sir Archbald Johnstoun of Wariestoun, Sir John Hope of Craighall, Arthur Erskene of Scotiscraige, Sir John Muncreiff of that Ilk, [David] Beatoun of Creich, Sir John Wauchope of Niddrie, Sir Thomas Ruthven of Frieland, Sir George Maxwell of Nether Pollock, Sir James Fraser of Brae, Sir James Hacket of Pitfirren, Sir William Carmichaell younger of that Ilk, Walter Dundas of that Ilk, Thomas Craige of Rickertoun, Mr. George Winrhame of Libbertoun, Sir [Alexander] Inglis of Inglishtoun, [Alexander] Brodie of that Ilk, [Arthur] Forbes of Eight, [William] Moore of Glanderstoun, John Ker of Lochtour, Alexander Pringill of Quhybank, Walter Scott of Whitsland, John Crafurd of Crafurdland, Sir John Cheisly, Robert Monroe of Obsteall, [John] Cornwall of Ballinhard, George Dundas of Dudistoun, Sir James Stewart of [Kirkfeild], Mr. Alexander Colvill of Blair, Mr. Alexander Peirson, Mr. Robert Burnet younger, Mr. Thomas Murray, George Porterfeild, Mr. James Campbell, James Hamiltoun, Lawrence Hendersone, Mr.

Robert Barkley, Mr. William More, William Glendoning, Doctor [Alexander] Douglas, James Sword, Gideon Jack, Mr. Dougall Campbell, John Boiswall, John Broune, William Broune, Robert Broune, and William Russell, *Elders*: Giving vnto them full power and comission to doe all and every thing for preservation of the established Doctrine, Discipline, Worship and Government of this Kirk, against all who shall endeavour to entroduce anything contrarie therevnto, and for prosecuting, advancing, perfecting and bringing the said work of Vniformity in Religion in all his Majesties dominions to a happy conclusion, conforme to the former commissions granted by preceeding Assemblies there anent. And to that effect appoints them or any sevintene of them, whereof threttene shall be Ministers, to meet here in this city to-morrow the 12th of this moneth, and thereafter vpon the last Wednesday of November, Februarij and Maij nixt, and vpon any other day and in any other place they shall thinke fitt; Renewing also to the persons before named the power contained in the Act of the Assemblie 1643 intituled, 'A Reference to the Comission anent the persons designed to repair to the Kingdome of England.' And further, in case Delinquents have no constant residence in any on Presbyterie, or if Presbyteries be negligent or overawed, in these cases, the Assembly gives to the persons before named full power of censuring compliers and persons disaffected to the Covenant, according to the Acts of Assemblie, Declairing alwayes and providing that Ministers shall not be deposed but in one of the quarterlie meetings of this Comission: And further authorizes them as formerlie with full power to make supplications, remonstrances, declarations and warnings, to indict fasts and thanksgivings as there shall be cause, to protest against all encroachments vpon the liberties of the Kirk, and to censure all such as interrupt this Comission or any other Church judicatorie, or the execution of their censures or of any other sentences or acts ishewing from them; With full power to them to treat and determine in the matters aforesaid, and in all other matters referred vnto them by this Assembly, as fullie and freely as if the same wer here fullie expressed, and with as ample power as any Comission of any former Generall Assembly hath had or been in vse of

before: Declairing also that all opposers of the authoritie of this Comission in matters intrusted to them shall be holden as opposers of the authority of the Generall Assembly: And this Commission in their whole proceedings are comptable to and censurable by the nixt Generall Assembly.<sup>1</sup>

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<sup>1</sup> We subjoin the commission given by the same Assembly to certain members of their Commission to prosecute the Treaty of Uniformity with the Houses of Parliament and the Assembly of Divines in England :—

‘The Generall Assembly, taking to their consideration that the Treaty of Uniformity in Religion in all his Majesties Dominions is not yet perfected, Therefore renews the power and commission granted by preceeding Assemblies for prosecuting that Treaty unto these persons afternamed, viz., Mr. Robert Douglas, Mr. Samuel Rutherford, Mr. Robert Baillie, Mr. George Gillespie, *Ministers*; and John, Earle of Cassills, John, Lord Balmirinoch, and Sir Arch. Johnston of Wariston, *Elders*: Authorizing them with full power to prosecute the said Treaty of Uniformity with the Honourable Houses of the Parliament of England, and the Reverend Assembly of Divines there, or any Committees appointed by them: And to do all and every thing which may advance, perfect, and bring that Treaty to an happie conclusion, conform to the Commissions given thereanent.’

The Commissioners of the General Assembly on 11th October added Mr. Robert Blair and Sir John Cheislie to the above Commission (pp. 99, 100), and these two were the only members of it who actually proceeded to London in furtherance of the objects for which the Commission had been appointed.

# THE ACTS AND PROCEEDINGS of the COMMISSION of the late GENERAL ASSEMBLY holden at Edinburgh in the moneths of July and August last 1648.

*Edinburgh, 12 August 1648, post meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas : Mr. David Dickson : Mr. John M'Ghie : Mr. James Hamiltoun : Mr. John Smith : Mr. Robert Young : Mr. John Livistoun : Mr. Patrik Colvill : Mr. Hew Peebles : Mr. Alexander Dunlope : Mr. John Home : Mr. George Summer : Mr. Alexander Cant : Mr. John Annand : Mr. Joseph Brodie : Mr. William Chalmer : Mr. James Gutterie : Mr. William Jameson : Mr. James Ker : Mr. George Gillaspie : Mr. Robert Ker : Mr. John Knox : Mr. John Adamson : Mr. Mungo Law : Mr. William Row : Mr. John Givan : Mr. George Hutcheson : Mr. James Ferguson : Mr. John Hamiltoun : Mr. Robert Ramsay : Mr. Evan Cameron : Mr. Andro Cant : Mr. David Lindsay : Mr. William Falconer : Mr. Alexander Summer : Mr. Gilbert Anderson : Mr. Thomas Donaldson : Mr. Thomas Wilkie : Mr. John Knox : Mr. Andro Duncason. ELDERS.—Earl Cassils : Scotiscraige : Laird Brodie : Dudistoun : George Porterfield : Mr. James Campbell : Doctor Douglas : Robert Broune.

After incalling vpon the name of God by Mr. George Gillaspie, Moderator of the late Generall Assembly, the names of the Comissioners being called, and the Comission read, the brethren proceeded to the choysing of a Moderator, and vnanimously elected the said Mr. George Gillaspie Moderator of this Commission in all the sessions and meetings thereof.

Mr. George Gillaspie, Moderator.

This day there being presented a Reference from the late Assembly to this Comission, for answering the Observations of the Committee of Estates vpon the Assemblies Declaration, which the Assembly being about to close and end had no tyme to answer, the Comission appoynted Messrs. Robert Douglas, John Smith, James Hamiltoun, James Guttrie, Andro Cant, David Dickson, Robert Ramsay, Earl of Cassills,

Committee for considering the Committee of Estates Observations vpon the Assemblies Declaration.

Scotiscraige, Dudistoun, with the Moderator, to be a Committee for considering the said Observations, and drawing an draught of an answer therevnto, and to report; as also that they consider some expressions in the petition of the late Assembly to the King, which the late Assembly recomended to be revised and helpit by this Commission.

The next meeting vpon Tuesday at 2 afternoon.

*Edinburgh, 15 August 1648, post meridiem.*

*Sederunt*.—MINISTERS.—Mr. George Gillaspie, *Moderator*: Mr. John Adamson: Mr. John Smith: Mr. David Lindsay: Mr. James Guttridge: Mr. James Ferguson: Mr. John Home: Mr. David Elphinstone: Mr. George Symer: Mr. Evan Cameron: Mr. John Ridfoord: Mr. Robert Douglass: Mr. George Lesly: Mr. Andro Cant: Mr. Mungo Law: Mr. David Dickson: Mr. James Hamiltoun: Mr. Alexander Dunlop: Mr. Patrik Colvill: Mr. Alexander Symer: Mr. William Row: Mr. John Knox: Mr. John Sinclair: Mr. Robert Young: Mr. John Row: Mr. Andro Duncason: Mr. John Knox. *ELDERS*.—Earl Cassils: Brodie: Scotiscraig: Libbertoun: Sir James Stewart: Mr. James Campbell: Lawrence Henderson: Gideon Jack.

This day the Committee appoynted yesterday [submitted] the Draught of ane answer to the Observations of the Committee of Estates vpon the Assemblies Declaration, which being read, after some alterations and corrections, the Commission vnanimously approved the same; Tenor whereof followes:<sup>1</sup>—

*‘The Answer of the Commissioners of the Generall Assembly vnto the Observations of the Honourable Committee of Estates vpon the Declaration of the late Generall Assembly.*

The answer of the Commissioners of the Generall Assembly vnto the Observations of the Honourable Committee of Estates vpon the Declaration of the late Generall Assembly.

‘Although there were other three papers delivered in to the honourable Committee of Estates from the Generall Assembly beside the Assemblies Declaration, yet nothing was returned from their Lordships except only some Observations vpon a part of the Declaration: which Observations being sent to the Generall Assembly, while they wer hastening to a close after so long attendance, were read and considered, and declared vnanimously

<sup>1</sup> This paper was at once published under the following title, *The Answer to the Commissioners of the Generall Assembly vnto the Observations of the Honourable Committee of Estates vpon the Declaration of the late Generall Assembly, August 15, 1648.* Edinburgh. Printed by Evan Tyler, Printer to the King’s most excellent Majesty, 1648. Internal evidence points decidedly to George Gillespie, the Moderator, as the main author of this paper, and it is one of the most terse and pithy he ever wrote.

to be no wise satisfactorie to the Assemblie; who did therefore appoint ws, their Commissioners, to prepare a particular answer thereto. And this we are the rather willing to doe, least by our silence we should seeme to be satisfied with such Observations. And this only we shall further premise, that both we and the people of God in the land who expect information from ws, are put vpon this disadvantage, that while many of their Lordships papers are printed and spread, to the detriment of Religion and the Cause of God, the presse is not patent to our papers whereby we desire to clear the truth. And now to come to the particulars.

‘Whereas their Lordships are pleased to say that the offers of the Committee of Estates for secureing of Religion have not been accepted by the Generall Assembly at the suggestion of some disaffected persons, they may be pleased to remember that the General Assembly did in some former papers demonstrat to their Lordships by good and solid reasons (never yet answered) that their Lordships offers are so farre from securing Religion, that they are inconsistent with the securitie of Religion: In all which (we blesse the Lord) we had never a more unanimous Generall Assembly and more free of the suggestions of disaffected persons. And we heartily wish their Lordships may be as free of the hearkning to the suggestions of disaffected persons as the Generall Assembly was. Neither shall we judge anie thing before the time concerning these Observations, but shall leave it to Him who will bring to light the hidden things of darknesse and dishonestie, what suggestions have been made to their Lordships in that businesse; as lykewise whether their Lordships did from a reall desire to be informed and edified, or for some other ends, call for proofs from Scripture of the vnlawfulnesse of the present Ingagement in Warre. However we shall answer to the Observations as they are offered to ws. Wee vnderstand not why the five Arguments in the Assemblies Declaration, brought to prove the sinfulness and vnlawfulnesse of the present Ingagement, are by their Lordships reduced to four classes. But we come to the matter.

‘The substance of the first Argument vsed by the Assembly was this:—In all lawfull warres of the people of God, the end principally intended and driven at is that wherein the glory of God is chiefly concerned; But in this present warre the end principally intended and driven at is not that wherein the glory of God is chiefly concerned; Therefore ’tis not a lawfull warre of the people of God. Their Lordships doe not denie the proposition of the

Argument, onely they answer to one of the Scripturall proofs thereof, that the warres of Gods people wer called the warres of the Lord, because as they wer vndertaken by warrant from Gods Vicegerents, so for an honest cause, and for the glory of God. We suppose their Lordships mean for the glory of God principallie, and so yeild the point. Yet it shall not be amiss here to put their Lordships in mind of the other two reasons why the warres of Gods people were called the warres of the Lord, namely, 1. Because their warres were not vndertaken without consulting of God and his will, revealed by his Ministers, as is manifest from Numbers 27. 21, and diverse other places. 2. Because their warres were to be managed and ordered according to the Law of God. As to that which their Lordships say concerning the assumption of the Assemblies Argument we answer,—(1.) Their Lordships say nothing of it as it stands in the Assemblies Declaration with the proofs thereof; but, passing all this, they form another assumption which they deny, and bring some reasons for their denyall of it. The Assembly did clearly prove in their Declaration, that the end principally intended and driven at in this Ingagement is not that wherein the glory of God is chiefly concerned; and this was proved by the Parliaments not satisfying of the Desires of the Kirk concerning the safety and security of Religion, as likewise of their resolutions of bringing his Majestie to some of his houses in or near London with safety, freedome, and honour, before any securitie had or sought from him for Religion and the Covenant, which is a manifest postponing of the safety of Religion to his Majesties safety, of the freedome of the Gospel to his Majesties freedome, and of the honour of God to his Majesties honour. But all this their Lordships are pleased to passe in silence. And as if the Assembly had denied all duty to the King, they goe about to prove that 'tis a duty incumbent to subjects to vnder-take a warre for his Majesties freedome and honour (we know not why their Lordships omit his safety), and severall texts of Scripture are cited by their Lordships to this end; Whereas they touch not the point in controversie, viz.,—Whether, Religion being in so great danger by his Majesties opposition therevnto, it be the subjects dutie to make warre for his Majesties freedome and honour, before securitie sought and had from him for Religion? (2) Their Lordships, instead of weakning the Assemblies first Argument, do indeed adde no small strength to it; For while they are answering that very Argument which challengeth the neglect of

the glory of God and of Religion in this Ingagement, they mention nothing of Religion, but only the Kings freedome and honour as the cause of vndertaking the present warre. (3) The Kirk of Scotland hath ever been and is most willing to resent any injuries done to his Majestie, and to performe every duty for his Majesties freedome and honour in the right way and order, that is, giving to God in the first place what is Gods ; But it hath not been the mind of the Kirk or State in this land to make warre for his Majestie in an absolute way and without any qualification, or to the detriment and hurt of Religion. For in the year 1643 this Kingdome was solicited by his Majestie to vndertake warre for him, but because he was ingaged in a course against Religion and the liberties of the Kingdoms, therefore all giving of assistance to him was declined, although at that time the Kingdoms were not joynd in Covenant. How much less is it the subjects duty, after such a Covenant, and after so much blood shed by the means of his Majestie opposing the Covenant and Reformation, and his Majesties adhering still to his former principles, yet notwithstanding of all this to ingage in war for him, and to espouse his quarrell before security desired and had from him for Religion ? (4.) The three Scriptures alledged by their Lordships, John 18. 36, Genesis 14. and 1 Samuel 30. do in no wise help their cause, or militate against the Assemblies Argument. For there are four great differences which will marre the application of those Scriptures to the present Engagment in War :—(1) Christs cause against the Jews ; Lots cause against the four Kings, who had taken away him and his goods ; David and his men, their cause against the Amalekites, who had taken their wives captive, was without controversie a good and honest cause, and no wise to the prejudice of Religion. (2) The instruments and managers wer without exception. (3) The parties to be relieved were also without any exception, so far as can be known from Scripture. (4) None of the three texts cited by their Lordships doth hold forth a war vndertaken for a humane interest with neglecting and postponing the glory of God ; and therefore come not home to the point of the Assemblies Argument. When their Lordships shall prove their cause to be as good, the managers and parties to be as much without exception, the glory of God to be as little neglected in this Ingagement as in the example cited, then may their Lordships apply those Scriptures in reference to this Ingagement, but not otherwise. (5) Whatsoever be the duty of subjects towards the relief of their King, which in



the due order and subordination to the glory of God and security of Religion is not denied, we cannot see how the text, John 18. 36, proveth it, seeing that Scripture holdeth forth a comon custome of the world, rather then a duty of subjects, and sheweth what men vse to doe rather then what they ought to doe. And this sence may be plainly drawn from the text itself. If my Kingdome were of this world, that is, as the Kingdomes of this world are and vse to be, then would my servants fight for me. Least of all was it our Lords meaning to allow fighting, and making warre in a cause preiudiciall and hurtfull to Religion. And whereas their Lordships say in their nixt citation that Lot had associat himself in warre with wicked men, the Sodomites, as hereby they tacitely intimate the lawfulnessse of association in warre with men as wicked as the Sodomites, so we shall humbly beseech their Lordships to observe here, how necessarie it is for their Lordships to search more accurately into these scripturall arguments, for there is no such thing in the Scripture as is cited in their Observations. We read indeed of Abrahams (not Lots) confederacy with Aner, Eshcol, and Mamre ; but that these three were either idolaters, or wicked men, is more then can be proved. (6.) The following paragraph is as wide from the point, proving what no body denies, viz., the duty of honouring Kings. We wish their Lordships may seriously ponder two things joyned with this duty in the first text cited by themselves. One is, Fear God ; and this put in the first place ; Another is, Medle not with them that are given to change ; whereby we are warned that, vnder collour of doing for the honour of Kings, we may not joyne with those who fall off from the cause and wayes of God. To presse any duty concernig the Kings honour, with the neglect or prejudice of the honour of God, is indeed to vse libertie as a cloak of Maliciousnesse ; so that this falleth back vpon them who charge it without cause vpon others. The text 1 Samuel 15. 30, 31, is no better applyed ; For when Samuel yielded to honour Saul before the people, and to turn againe with him, it was vpon his confession and acknowledgment of his sinne ; and withall Saul was so honoured before the people that Agag was cut in peeces.

‘The second Argument of the General Assembly was to this purpose. Every Ingagement in warre which is pretended to be for Religion, and yet hath in it a confederacy and association with wicked men and enemies of true Religion, is sinfull and vnlawfull ; But the present Ingagement in warre is pretended to be for

Religion, and yet hath in it a confederacy and association with wicked men, enemies of true Religion ; Therefore 'tis vnlawfull. Their Lordships are pleased to make four answers, the first three against the proposition, the fourth against the assumption. First they say associations were forbidden with the Canaanites because they were destinate to destruction and their countrey promised to Gods people. If the meaning be that the prohibition of association with the Canaanites, and the ground thereof was temporary and such as concerned the Jews only, and that 'tis now free to the people of God to associate with such as the cursed Canaanites, let any who is of that judgement speak it out in time. To ws it seems manifest from Scripture that the chief ground and reason of that law was morall and perpetuall, such as concerneth ws in all like cases, viz., lest they should make Israel to sinne and be a snare vnto them, Exodus 22. 33, and 34 ; 12. 15 ; Deuteronomy 7. 4. And whereas their Lordships say that they hope there is none who pretendeth such a warrant for destroying all who differ in Religion from them, we shall here passe what their Lordships seeme to suppose, but cannot be proved, namely, that the Jews had such a warrant or did pretend to it. Onely we shall desire that their Lordships may never forget that they are ingaged by solemne Covenant to God that they shall sincerely, really, and faithfullie endeavour the discovery, triall, and condigne punishment of malignants, incendiaries, and enemies of Reformation. Now then can it be lawfull to associate with them as long as they remain such ? Or how can their Lordships joyne with those as friends of the cause who by the Covenant ought to be tried and punished as enemies to the cause ?

'Secondly, 'Tis answered in the Observations that confidence and trust in these worldly helps are forbidden. It seems their Lordships vnderstand the Scriptures cited in the Assemblies Declaration to condemn, not the association of itself with wicked men, but confidence in the associats. And if so, then association with wicked men is no more sinfull then association with good men ; for we may not put trust and confidence in worldly or humane helps from whomsoever we have them. We shall yet desire that their Lordships may take a further review of the Scriptures cited in the Assemblies Declaration (which for brevitie cause we doe not hear repeat), and we doubt not but it will plainly appear to every one who looketh vpon these Scriptures, that associations with such men in warre ar condemned as vnlawfull and sinfull in themselves. As

to the instances adduced by their Lordships from the examples of our Ancestors—The desire of the Generall Assembly, 1583, that there might be a band of vnion betwixt the Christian Princes professing the true Religion for defence thereof against the persecution of Papists—was a most just desire, neither can such application be drawn from it as it is brought for. A band of vnion with Princes professing the true Religion is hugely different from an vnion and association with the professed enemies of the true Religion, which is the case now in controversie. As touching the help which our fathers had from England, then vnder Prelacie and the Service Booke, As there have been in England, ever since their first Reformation, many who kept themselves free of these corruptions, so they who at that time came from England for help and assistance to this Kingdome, invaded by the Frensh, had not borne armes against the Reformation of Religion, as they have done who are now associated with. Besides, all the evils of Prelacy and the Book of Common Prayer were not then discovered in any such measure or degree as now they are, neither were the Kingdoms then obliged by solemne Covenant, as now they are for extirpation thereof.

‘Thirdly, ’Tis answered in their Lordships Observations that their is a great difference in joyning with strangers—idolaters and subjects, obliged in a common duty, living vnder a King. But we shall desire it may be remembred:—(1) That the present Ingagement in warre cannot be purged of all associations with strangers—idolaters. (2) Their Lordships distinction is as if one should say (which no man will admit) that strangers, who are enemies to the King, ought not to be taken to fight in the Kings wars, yet they who live in his dominions and did once swear allegiance to him, though afterwards they have rebelled against His Majesty and his laws, and still continue in rebellion, may be trusted, associated, and joyned with in the Kings wars. If a faction of rebels against the Lord be admitted to fight in a war which is pretended to be for Religion, and yet a faction of rebels against the King be not admitted to fight in the warres for the King, then doe men lay themselves open how much they slight and despyse the honour of God, and how prodigall they are of his cause. (3) ’Tis all one to the point of vnlawfulnes whether such associations be with the enemies of true Religion without or within the Kingdome, even as ’tis all one to the vnlawfulnessse of mariage with idolaters, and of familiar conversation with vngodly men, whether they be without or within the Kingdom; Were not those military associations of

Jehosaphat with Ahab (2 Chronicles 19. 2,), and of Amaziah with the 100,000 men of Israel (2 Chronicles 25. 7, 8,) condemned vpon this reason, becaus the associats were vngodly haters of the Lord and because God was not with them? Which reasons will extend against all military associations (and especially in a cause of Religion, which is the present case) with a knowne faction of malignant and wicked enemies of Religion.

‘Fourthly, ’Tis answered that their Lordships have declared that they will associate with none but such as will ingage themselves to be faithfull in the ends of the Covenant, and who do so cannot be repute Malignants, that is, Popish and Prelaticall, vnlesse they be false hipocrites; Where, to passe that their Lordships doe not make it plaine that they mean of the Solemne League and Covenant, It is to be observed, (1) That their Lordships are not pleased to say that they will associate with none but such as take the Covenant, yea rather their Lordships tacitely yeild that they will associate with such as neither have taken nor will take the Covenant, so that they ingage themselves in those generall and ambiguous termes that they will be faithfull in the ends of the Covenant. (2) Their Lordships are here pleased to make the signification of the word ‘Malignants’ commensurable with the Popish and Prelaticall party, whereas there are diverse Malignants who are not of the Popish and Prelaticall party, but drive at an Arbitrary Government, and are against the Covenant, the Reformation of Religion, and liberties of the Kingdome. (3) How can it be supposed that they who will not take the Covenant, yea have borne armes against it, and still continue in their former principles, can really or truly engage themselves to be faithfull in the ends of the Covenant, or that they will be indeed faithfull in these ends? And if there were no more, how can they be faithfull to that end of the Covenant which concerneth the discovery, triall, and punishment of themselves and others of their kynde?

‘The third Argument in the Assemblies Declaration was to this sence:—Whatsoever Ingagement in war is vndertaken without first essaying the lawfull possible and ordinary means of preventing bloodshed is vnlawfull and sinfull; But the present Engagment is such; Therefore, etc. ’Tis to be observed that their Lordships doe not deny the proposition, but only the assumption of this Argument. The reasons of their deniall are two: (1) Because the Commissioners at London did represent wrongs and seek reparation: (2) Because a messenger was sent with the Demands of the

Parliament of this Kingdome to the Kingdome of England. But here 'tis not to be forgotten that neither the Commissioners at London nor the messenger here meant of did make known to the Parliament of England the breaches found and declared by the Parliament of this Kingdome in their Declaration to the Kingdome concerning the grounds and causes of the present Engagement. How can it then be supposed that all the means of preventing bloodshed wer sufficiently essayed, seeing the very grounds and causes of the war, found by the Parliament of this Kingdome, were not so much as made known to the Parliament of England, that their answer therevnto might be heard? And whether there is some other mysterie in the not making knowne those breaches to the Parliament of England, time may peradventure discover. (2) Their Lordships are pleased here to passe in silence that which seemed most strange to the Generall Assembly, that the offer of a Treaty vpon the Propositions of both Kingdoms being made by the Parliament of England was yet slighted and not embraced by the Parliament of this Kingdome. (3) Was not the towne of Berwick seized vpon (which act now their Lordships own in this paper of their Observations) before the messenger was sent with the Demands to the Houses of Parliament? From all which laid together it will quickly appear that this Ingagement was vnder-taken without first essaying those amicable and peaceable wayes which might and ought to have been vsed for preventing of bloodshed.

'The fourth Argument was this:—Whatsoever Ingagement in war hath in it the breach of a Solemne Covenant made with God is sinfull and vnlawfull; but the present Ingagement is such; Therefore, etc. The proposition is yeilded and their Lordships conceive it needlesse to prove it. But when we observe how many there are who make no conscience of the Covenant, and in their deeds doe deny it, we cannot thinke it needlesse but necessarie to shew from the Word of God how great a sin the breach of Covenant is. As to the assumption which was verified in all the Articles of the Covenant, their Lordships say that the breach of the first Article is instructed in the Declaration of the Assembly by the induction of three particulars. But vpon a review their Lordships will find that the breach of that first Article is instructed by five instances, and as their Lordships make the instances fewer then the Assemblies Declaration doth, so the third instance, as 'tis expressed by their Lordships, is not in the Declaration of the

Assemblie, viz.,—The not answering of the petitions of Presbyteries and Synods. To the first instance 'tis answered by their Lordships that the State hath not quarrelled any ministers doctrine though they may quarrell seditious doctrine. We thanke God their Lordships have no just cause (so farre as we know) to charge sedition or seditious doctrine vpon any minister who hath freely and faithfully reprov'd the sinnes of the times. And we doubt not<sup>1</sup> but every faithfull minister is able to say, as Paul said, and according to Pauls meaning :—They found me not raising vp the people neither in the synagoge nor in the city, neither can they prove the things whereof they now accuse me. It was not affirmed in the Declaration of the Assembly either that the Parliament or Committee of Estates quarrell ministers doctrine, but quarrell'd it is very frequently by most if not by all of those who are most active and forward in the present Engagement. However, the judgment of ministers doctrine belongeth to the judicatories of the Kirk both by Divine right and by the law of the land, and we hope their Lordships doe not intend, vnder cullour of quarrelling sedition, a new way of trying and judging ministers doctrine, nor to assume to themselves the exercising of the same power over all persons of whatsoever estate, degree, function, or condition they be of, in all matters wherein they shall be charged to answer,—a power once granted to the Councell in the 129 Act Parliament 8 James 6 Anno 1584, but was afterwards abrogated in the 114 Act Parliament 12 King James 6, Anno 1592, as likewise in the Act recissory 1640.

'The second instance was the disturbing of and withdrawing from the worship of God, and namely from the late solemn humiliation. Although the Assembly did not lay the strength of their Argument either vpon this instance or the former, their Lordships answer that such disorders are not owned by them, and shall be censured when represented to them and duly instructed. But we shall crave leave to put their Lordships in mind that some of those disorders wer particularie represented to their Lordships and offered to be instructed, yet not tryed nor punished; And we wish their Lordships may sadly ponder in their own consciences whether they be not really owners of and accessory vnto such disorders, as knowing of and having power to punish, yet they do not punish. Whatever insolencies or disorders were committed by some in

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<sup>1</sup> The Print has *do not doubt*.

former expeditions can be no excuse or extenuation of the like and worse exorbitancies now. Neither can it be denied but former disorders and scandalls when known wer not only represented by the ministry, but searched after and oftimes exemplarily punished by those who had power and authority for that effect.

‘The third instance hath more strength in it then their Lordships are pleased to take notice of. We doe not argue that their Lordships not granting of all the desires of the Kirk doth inferre that they maintain not the Government of the Kirk ; But the force of the reason is that their Lordships not granting so much as one of those things which were desired by the Kirk as necessary to the preservation of the true Reformed Religion, may inferre that the true Reformed Religion is not preserved and maintained according to the Covenant. It seemeth strange to their Lordships that the Kirk should be both petitioners and judges of their owne petitions. There may lurke some ambiguity in the word ‘judges,’ but we had thought it no strange thing for petitioners to judge of the answer of their petitions by the judgment of Christian prudence and and discretion, whether the answer be satisfactorie to their consciences or not. And when Kirk judicatories are the petitioners it belongeth to them more peculiarie, not only by the judgement of discretion common to all Christians, but by a ministeriall and directive judgement, to determine so great a case of conscience, whether an answer returned to petitions concerning the safety and security of Religion be satisfactory in point of conscience or not. Their Lordships argument seemeth much more strange to ws, namely, that if their Lordships not granting of all the desires of the Kirk (suppose them all to be just without controversy), inferre that they maintain not the government of the Kirk, may not they also conclude that the Generall Assembly maintaineth not the just authority of their Civill government because they refused the just desire of the Committee of Estates for granting them the space of 2 or 3 dayes to propose their just exceptions against the proceedings of the late Commission of the Kirk before the Assembly should approve them ; as also because they refused the pious and lawfull desire (as their Lordships call it) for Ministers to the Army: Where, (1) As their Lordships make themselves judges of their own desires as much as the Kirk hath judged of theirs, so these desires proposed to the Generall Assembly, being about matters merely Ecclesiasticall, viz., the approving of the proceedings of the Commission of the Kirk

and the appointing of Ministers for the Army, we cannot but offer it to their Lordships second thoughts, how their judging and determining thereof, not onely without, but against the judgment of the Generall Assembly, can consist with the established Law of the Land, that all matters Ecclesiasticall shall be determined by the Assembly of the Kirk, and all matters Civill by Parliament.

(2) The truth is, neither of those desires refused by the Generall Assembly wer just; That the desire of Ministers to the Army was not a just desire the Generall Assembly hath discovered abundantly in their Declaration; And as to the other desire, there is an expresse Act of the Generall Assembly, 1601, That the proceedings of the Commissioners for the publik affaires of the Kirk shall be examined by the ensuing Assembly in the begining thereof, and approved and censured before the Assembly take in other matters. Notwithstanding wherof when the late Generall Assembly begunne to examine the proceedings of the late Commission, and notwithstanding that the Committee of Estates had sufficient time before to prepare any exceptions which they had to offer, yet at their Lordships desire the Assembly agreed to a new delay for a competent space, professing to the Earl of Glencairn, then sent by their Lordships to the Assembly, that the Assembly should then be ready to here their Lordships exceptions against the proceedings of the said Commission. But no exceptions being given in at the time appointed, the Assembly was necessitated to proceed, having many things of importance to do, which could not orderly be brought in till the proceedings of the late Comission were first examined.

‘The fourth instance (though their Lordships doe not take notice of it as such) was taken from a limitation and restriction in the late Declaration of the Comittee of Estates. Their Lordships answer confirmeth our Argument; For they so farre adhere to that restriction “as it is established by law,” that, in their Lordships opinion, the true Reformed Religion in Doctrine, Worship, Discipline, and Government in this Kirk cannot be otherwise maintained and preserved, but as ’tis established by law, vnlesse (as they say) some would have their Lordships to maintain some novations in Doctrine, Worship, or Government, though not established by law. Their Lordships might have taken notice from the Assemblies Declaration that there are diverse things by the mercy of God enacted by Generall Assemblies which yet are not by his Majesties goodnesse established by law; Neither is there any part of the Vniformity



agreed vpon in both Kingdoms as yet by his Majesties goodnesse established by law among ws. We are heartily sorry that their Lordships should look vpon so many good and necessarie acts of Assemblies as novations, and that their Lordships are not to maintaine them. We marvell why their Lordships should account it any breach of charitie to say that his Majestie hath not established by law all that hath been by the mercy of God enacted in Generall Assemblies. Their Lordships cite the Assembly 1639 as acknowledging his Majesties goodnesse in establishing the work of Reformation; Yet there is nothing in the application of that Assembly looking towards their Lordships restriction, or contrary to that passage of the late Declaration into which their Lordships reply. Neither will it be a good parallel between a tyme of his Majesties granting and a time of his refusing the desires of his good subjects concerning Religion.

‘The fifth instance, which concerneth all the rest of the first Article of the Covenant, their Lordships doe wholly pretermitt. Therefore we come to the Observations vpon the second Article.

‘The first instance of the breach of that Article was taken, not from their Lordships desire of the Queens returne, but from their desire of hir returne without any condition tending to the restraint of her Masse and exercise of Popery. We doe not say that the Solemne League and Covenant dissolves the Covenant of marriage between the King and Queen. But if their Lordships, by defending and asserting that Covenant of marriage, mean to defend all the articles of contract, whereof one is, that she shall have the free exercise of her owne Religion and her priests to attend her, how then can their Lordships avoid the toleration of Popery, contrary to the Covenant? As for the Sectaries, if their Lordships or any other know any in this Kirk of Scotland who gave them encouragement or hopes of toleration, we desire it may be made timely known, that such persons (if any be, for we know none such), may be tried, censured and avoided.

‘To the second instance, concerning his Majesties concessions, their Lordships make no particular nor plain answer, though it hath been often and earnestly desired; only they referre to what they have said before, and so do we to what was answered before.

‘In their Lordships answer to the third instance, the subordination and due order between duties to God and duties to the King is still forgotten. Their Lordships presse the doing of duties to

his Majesty notwithstanding the fear of any bad consequence. But (1) How much more ought we to do duty to God, whatever danger or bad consequence may come thereby? (2) The point which was to be proved was, that it is a duty to undertake a war for his Majesties restitution to some of his houses in or near London before security had and sought from him for Religion, which point neither is nor can be proved. There is nothing which hath more hardened the Kings heart in refusing to do his duty for securing of Religion then the vnreasonable endeavours of some to restore him to the exercise of his royall power before his securing thereof. (4) The Assembly well knew that there is a difference between a consequent in respect of order of time and in respect of causality; but the bad consequences to Religion which are apprehended from the bringing of his Majesty to London with safety, freedom and honour, before security had from him for Religion, are consequents in respect of causality, both because the Declaration of Parliament, May 5, holdeth forth that his Majesty being so restored, will be put in such a condition whereby his concessions may be rendered effectuell (which cannot as we conceive be vnderstood without the exercise of his royall power), and likewise because his Majesty being so principled, and holding himself obliged in conscience and by his Coronation oath to establish Episcopacy, will vse his vtmost endeavours for the same. (5) Whereas their Lordships bring an instance of the honour and freedom given by God to our first parents, which was not the cause of their abuse thereof that followed in time, We must humbly crave leave to say that this instance might have better become Papists, who hold that there was some roots of concupisence in Adam before his fall, then Protestants, who hold that there was no bad principle lurking in his nature. And how shall their Lordships apply their simile to the case in hand, vnlesse they will say (which we know they will not), that the Kings Majesty hath no bad principle in him more then Adam before his fall? As for that which their Lordships adde in the close, that they will not put in his Majesties hands any such power whereby Religion or the Covenant may be endangered; For this point we are referred to the Declaration of Parliament, page 13, which needeth no other answer then was made by the late Comission of the Kirk in their Representations, page 17, viz.,—That vpon supposition his Majesty is come to London with honour, freedom and safety, we doubt not whether it may prove impossible to their Lordships (were they

never so willing) to hinder the putting of such a power in his Majesties hands whereby Religion may be endangered.

'As to the breach of the third Article ; First, 'tis answered, that breach of the priviledge of Parliament and prejudice to the liberty of the subjects should be best known to them. Wee might say be the same rule that breach of the priviledges and liberties of the Kirk should be best known vnto us. Yet notwithstanding of our resentment of manifold encroachments vpon the liberties of the Kirk, their Lordships vndertake in the begining of these Observations to vindicate themselves from any such encroachments; But we shall only put their Lordships in minde of that wherevnto this their answer is applied. The Assemblie complained that the liberties of the subjects are overthrown, and the persons and estates of such as have been best affected to the cause and Covenant are exposed to most grievous injuries and crying oppressions; Wherevnto there is no other satisfaction returned, but that "preiudice to the liberty of the subjects should be best knowne to their Lordships." Shall the subiects then shut their eyes, deny their sence, and blindly give vp their persons, liberties, and estates to the naked arbitrement of men? God forbid. We hope their Lordships will allow subiects to know their liberties better. And seing men of all estates and degrees are vnder the bond of the Solemne League, each one swearing for himself, and seeing, as we are taught by the Word of God, each one of vs must give an account to God for himself, it cannot but necessarily follow, that no man is to depend vpon or follow blindly any humane authority whatsoever. As to the next instance of his Majesties negative voice in Parliament, their Lordships touch vpon an argument for it drawne from the good vse which may be made of it, and namely in hindering the passing of an Ordinance for toleration of Sectaries. Where (1) we wish their Lordships may here apply the good rule cited by themselves in the precedent paragraph, viz., that evill may not be done that good may come of it. (2) 'Tis as strong an argument and stronger against it, that a very bad vse may be made of it to the overthrowing of the Covenant and Reformation of Religion, whereof there is no small ground of fear from his Majesties adhering to the Prelaticall principles. (3) 'Tis in recent memory what offers of toleration to such as differ from Presbyteriall Government wer contained in his Majesties answer to the Propositions of both Kingdoms presented to him at Hampton Court, and in his message from the Isle of Wight, dated November 16, 1647. So that we are

sorry we have cause to say, Tolleration of Sectaries stuck not so much vpon his Majesties part, as other things to which he would not agree. The third instance, which they call the second, concerning the subordination of civill power to the good of Religion, is granted by their Lordships, and that it is a great sin in Kings to doe otherwise, but that if Kings faill in Religion, subiects are notwithstanding tied to obedience in things lawfull. We conceive it will not be denied but that subiects are as straitly tied to a subordination of all to God as the King is. Doth not the Word of God oblige all men, whether Kings or subiects, to prefer the glory of God and good of Religion to all things, to seek it in the first place, and to postpone it to no thing whatsoever? If any man be of another opinion, surely 'tis new and strange divinity, neither agreeable to the Scripture nor to the practise of the Jewish Church, nor to the Confessions of Faith of Reformed Churches. As for their Lordships qualification of the subiects obedience in things lawfull, we only desire that another qualification may be taken alongst with it, viz., always preferring the glory of God and the security of Religion to all humane interests.

'For the point which was and is to be proved (if anything be made out to the advantage of the present Engagement) is this, that though his Majestie will give no securitie for the true Religion, and for the Covenant, but continue opposing the same to the vtmost of his power, yet the subjects are bound even in that case to take armes in his Majesties quarrell, which (as hath been said) hath not been, nor cannot be proved.

'As for the breach of the fourth Article of the Covenant, their Lordships only refer ws to their Observations vpon the Assemblies second Argument, and these were before answered.

'When their Lordships come to speak to the breach of the fifth Article, we meet with one thing, which, if there were no more, may make all the people of God in the land to take good heed whose professions they now give believe vnto: For in the narrative of the first Act of Levie we finde these words,—“And now finding that the town of Berwick is seized on, and that the dangers are nearer to ws then formerly, whether from Sectaries or Malignants, and that it is our duty to make vse of the power and strength of the Kingdom for its preservation and safety.” How this can possibly agree with their Lordships answer to the Assemblies Argument concerning the breach of the fifth Article we cannot vnderstand. There they will not own the seizing vpon Berwick; here they doe own it.

There they make the seizing on Berwick to be a greater and nearer danger to the Kingdome; here they make it necessary for preservation of the Kingdome. There they vse a dubious expression, "whether from Sectaries or Malignants;" here they mention only dangers from Sectaries as that which they lookt at in that businesse. Whether this be straight and vpright walking, we refer it to their Lordships own consciences. And whereas their Lordships intimate a paralell betuixt their garrisoning of Newcastle in the first expedition, and their garrisoning of Berwick and Carlile now, the paralell holds not: Because as there was neither then Covenant nor Treatyes between the Kingdoms, so this Kingdome being then invaded was necessitate for their owne preservation to doe what they then did. And as to the large Treaty, their Lordships naked affirmation, that what they do consists with that Treaty, cannot satisfie mens consciences that it is so. Concerning the offer of a Treaty from the Parliament of England vpon the Propositions of both Kingdoms, their Lordships are pleased to answer nothing, but, passing that, they speak to another point, that they have received no satisfaction to their Demands sent to the Parliament of England, nor so much as a Treaty offered therevpon. Their Lordships may be pleased to remember that they themselves did not desire a Treaty vpon their Demands, nor yet offer any assurance not to make war, if their Demands were granted. And what though the Parliament of England did not offer a Treaty with that limitation, that it should be vpon the three Demands of the Parliament of this Kingdome? Might it not conduce as much and more to the settleing of a happy peace, and preventing of a new war [that] they offered a more comprehensible and full Treaty vpon the Propositions agreed vpon by the Parliaments of both Kingdoms? Lastly, whereas their Lordships say that the Parliament and Committee of Estates are only judges if the answer of the Parliament of England be satisfactorie, we shall desire their Lordships to remember what we have touched before, that others also have a judgment of discretion, and must not be led by implicite faith or blinde obedience.

'In answer to the breach of the sixth Article, their Lordships do not deny that they are to assist and defend many who have not entered into the League and Covenant: Only they make a diversion, and desire it may be considered that while they are challenged for this, yet no notice is taken in any Church judicatories of these who have gone to the Army of Sectaries. But their

Lordships may be pleased to take notice of this great difference, that their Lordships Declarations and Professions make manifest what was said in the Declaration concerning their assisting and defending many who have not taken the Covenant, whereas that which is objected by their Lordships on the other hand concerning some gone to the Army of Sectaries, is not made to appear to ws. And when the offence of such persons, if there be any, shall be made evident to ws, we shall do what becometh ws in our places and callings. As to that which their Lordships expect of the faithfull Covenanters in England, we do for our part hope for better things of them, and things that accompany salvation, and we shall rest confident of them through the Lord, that they are and will be more mindfull of the Covenant then to comply with any course contrary or prejudiceall therevnto, or prefer any humane interest to the securing of Religion.

‘To the next instance their Lordships answer by denying that they depart from their first principles, which we fear is but too true of some of them, who, having before gone out from ws because they were not of ws, have now been most active in this Engagement. But sure we are there is a departure from the first principles and resolutions expressed in the Covenant, Treaties and Declarations of both Kingdoms. Neither is this a bare humane assertion (as their Lordships are pleased to esteem it), for it was proved by the late Comission of the Kirk in their Declaration, March 1., and in their Representation, wherevnto the Declaration of the Assembly did expressly relate. For proof of that particular, we shall here give instance in the postponing of Religion to the Kings interest, in the Association with Malignants, in the oppression and persecution of such as have been most zealous and active for the Covenant and Reformation of Religion, in the manifold encroachments vpon the liberties of the Kirk. Were these the first principles? Or rather what can be more contrarie to the first principles?

‘The fifth Argument in the Assemblies Declaration their Lordships are pleased to make very light of, as humane and popular, not Scripturall. But by their Lordships favour, it is no wise agreeable to Scripture rules to believe that all they who have been most zealous and faithfull in the Covenant and cause of God, should be deceived and deluded in this businesse, and that they who were enemies to the Work of God in the begining, and have never yet brought forth the fruits of repentance, should now find out the will of God more then his most faithfull servants in the land.

We claime no infallibility, yet comparatively, it cannot be denied that such as have been for God and his cause are in a better and more hopefull way to finde out his will then such as have been and are on the contrary side, and that God hath made a promise to his servants and children to guide them into all truth (John 16. 13), to teach them in the way that he should choose (Psalm 25. 12), whereas there is no such mercy promised to malignant enemies of the cause and wayes of God.

‘The six Arguments which their Lordships are pleased to adde by way of retortion, to prove from each Article of the Covenant that it had been a breach of Covenant if they had not ingaged, may be (as we humbly conceive) very shortly and easily answered. All their six Arguments runne vpon the dangers from Sectaries; and that such dangers are to be obviat by all lawfull wayes and meanes we doe most willingly agree with their Lordships. But why doe not their Lordships provide against dangers on both hands? We hear no word of Malignants in these Arguments except in the fourth, which tells ws they have been punished already.

‘That we are obliged by solemne Covenant to endeavour the extirpation of Heresie and Schisme is manifest and uncontroverted among ws. The point complained of is that vpon pretence of doing against Sectaries there is an associating and joyning with Malignants, a strengthening of the enemies who formerly fought against the Covenant, a casting down of what hath been built, so that the remedy is worse then the disease, and the latter end worse then the begining. What their Lordships assert of duties to the King have been abundantly answered before. We plead against no duty to the King, but for preferring the glory of God and security of Religion to all humane interests. We wish their Lordships may here apply to themselves what they have blamed in others, and so we shall conclude with their Lordships owne words in their late Declaration to the Parliament and Kingdom of England, page 13 :—“ We are sorry to see other interests still so carefully provided for, and so little security to Religion, which indeed was the main and principall cause of our Engagements in the late warres.”’

Letter to Pres-  
beteries con-  
cerning the  
Answer to the  
Observations  
vpon the  
Assemblies  
Declaration.

The Commission thinks fitt, vntill the Answer to the Comittees Observations be gotten printed, to send the Letter following to Presbyteries :—

‘REVEREND AND LOVING BRETHREN,—The Generall Assembly had received a paper from the Committee of Estates bearing

their Observations vpon the Assemblies Declaration concerning the vnlawfulnessse of the present Engagement, and declared themselves noway satisfied with that paper, Referring to ws to draw an answer therevnto, themselves not having tyme, being then at the very close of the Assembly. And now vnderstanding that the Committee of Estates has ordained that paper to be read at the Kirk doores, we have thought good to give yow notice that we are to send yow a full answer to that paper, which will shew the vnsatisfactorinesse thereof; And this answer yow will not fail to cause read in all the kirks in your bounds where that paper shall be read; and in the mean tyme give information to all your people, and take care that they be not miscaried with any fair shew that the said paper may seeme to have; Which is all we have to say, Remaining

Your loving brethren,

Edinburgh,  
the 15 August 1648.

THE COMMISSIONERS  
OF THE GENERALL ASSEMBLY.'

The next meeting the morne afternoon at 3 houres.

*Edinburgh, 16 August 1684.*

*Sederunt*:—MINISTERS.—Mr. George Gillaspie, *Moderator*. Mr. James Hamiltoun: Mr. John Smith: Mr. Robert Douglas: Mr. Mungo Law: Mr. David Dickson: Mr. David Lindsay: Mr. Alexander Symer: Mr. William Row: Mr. Robert Young: Mr. James Ferguson: Mr. George Symer: Mr. John Home: Mr. Alexander Dunlope: Mr. John Sinclair: Mr. Evan Cameron. ELDERS.—Scotiscraige: Niddrie: Libbertoun: Sir James Stewart: Mr. James Campbell: Gideon Jack.

The Commission appoynts Messrs. David Dickson, David Lindsay, Mungo Law, George Leslie, James Hamiltoun, Evan Cameron, John Home, Niddrie, Sir James Stewart, and Mr. James Campbell, to present to the Comittee the Answer to their Lordships Observations on the Assemblies Declaration.

Committee for  
presenting the  
Declaration to  
the Committee  
of Estates.

The next meeting to be vpon advertisement from the Moderator as he shall finde occasion.

*Edinburgh, 28 August 1648.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas: Mr. Thomas Vassie: Mr. James Hamiltoun: Mr. Hew Kennedy: Mr. David Douglas: Mr. George Lesly: Mr. Ephram Melvill: Mr. John Smith: Mr. Robert Lawrie. ELDERS.—Dundas: Libbertoun: Obstoll: George Porterfeild.



This day a letter from the House of Comons of the Parliament of England being read, the brethren appointed the printed copies therof to be sent to Presbyteries. Tenor of the letter follows:—

Letter from  
the House of  
Commons of  
the Parliament  
of England.

‘Wee, the Comons assembled in the Parliament of England, taking it into our consideration that however the late possessing of Berwick and Carlile, and the coming of the Scottish Army and forces into this Kingdome, be most notorious and vnparalleled breaches of the Solemne League and Covenant, and the many Treaties, nationall Agreements and Acts of Parliament passed both in England and Scotland, yet because we are assured these impious and vnwarrantable actions cannot be done with the approbation and consent of the religious and well affected people of the Kingdome of Scotland, and that we vnderstand there are very few amongst these who are in this Engagement against vs that first engaged with vs in the Covenant and Cause, but such as have been professed enemies to them, however they be now content to pretend therevnto, that they may the better deceive the people of this Kingdome, wee are vnwilling to impute such evils to the Nation in generall, but to those persons that owne and appear in them, whom we are confident God (that hath still so remarkably manifested his displeasure against truce-breakers) in his due time will judge, whatever we may suffer in the meane while.

‘Therefore we now send to yow that it may appear we will not by any provocation be induced to withdraw ourselves from those in Scotland who retaine their former principles and still owne the Cause, wherein we have (with blessing from heaven) been so long engaged and solemnly vnited. And because the enemies thereof have been very industrious in prosecuting a designe to hinder the work of Reformation in this Kingdome, by raising many scandalls and reproaches vpon vs, and by vnworthy insinuations of our ends and intentions, and false representations of our actions and proceedings, which they have framed sutably to the severall present stirring distempers, the better to foment discontents in all sorts of people against vs, charging vs that we doe not intend any thing in the worke of Reformation (though they doe more maligne what we have done already then desire we should doe more), that we

have a purpose to alter the Government of the Kingdome, that we are enemies to peace and to the Vnion of the Kingdoms, and such like; Therefore that by such practises neither yow may be abused nor vs further wronged, we have thought fitt, for our owne necessary vindication, to give yow (in the first place) a short view how farr (through the assistance of Almighty God, to whom alone be the glory) the two Houses of Parliament have proceeded in the Work of Reformatioun, notwithstanding the opposition of the enemies to the truth, and the great dangers and difficulties which have been raised to hinder them by the force and power, plotts and designes of the Popish, Prelaticall and Malignant party in this Kingdome, with whom the Scottish Army are now joyned in forces and councells. It is very well knowne how great a party in this Kingdome were engaged for vpholding of Prelacy, yet they, notwithstanding all discouragements and hazards to themselves, have taken away and extirpated that Government so disagreeable to what is practised in other Reformed Churches, and preiudiciall to the power of godlinesse. And because the peace of the Church and power of Religion cannot long continue without good order and discipline established therein, they called an Assembly of godly, learned, and orthodoxe divines from all parts of the Kingdome, with whom some Commissioners of the Church of Scotland joyned, to sitt at Westminster; and after consultation had with them, both Houses took away the Service Booke, comonly called the Booke of Comon Prayer, and established a Directory for Worship, comandng the practice of it in all the Churches and Chappells of this Kingdome. And instead of Episcopacy they have sett vp Presbyteriall Government in the Church, which is already settled in many parts of the Kingdome, and doe (by Gods assistance) resolve to pursue the further perfecting and establishment of it in all parts both in England and Ireland. They have approved and passed the Confession of Faith, (or Articles of Christian Religion), as it came from the Assembly of Divines, with some small alterations (onely some small part is yet under consideration), the rest being printed and published by authoritie of Parliament. They have passed a Greater and Lesser Catechizme that came from the Assembly of Divines. They have taken away

all superstitious ceremonies and Popish innovations. They have given authority for the demolishing of all the representations of any persons of the Trinity, saint, or angell, and taking away all alters, crosses, crucifixes, pictures, and all other monuments of idolatrie and superstition in any church, chappell, or place within this Kingdome. They have passed an Ordinance for the punishing of blasphemies and heresies. They have passed an Ordinance for the ejecting of scandalous ministers and schoolemaisters, and therevpon have removed many, in whose stead they have placed godly and able men. They have passed an Ordinance that none shall enter into the worke of the Ministry but such as are ordained thereto. They have given all the encouragement, and made the best provision they could, for the maintenance of a godly preaching Ministry through the Kingdome, not only in removing the ignorant and scandalous, but in augmenting maintenance for painfull Ministers, both out of the impropriations of Bishops, the estates and revenues of deaness and chapters, and out of the impropriations of delinquents, which they brought out and settled vpon churches that wanted maintenance to a very great value. They have purged the Vniuersities and cheefe schooles of the Kingdome, which are the seminaries of learning and education of youth, of many heads of houses, fellowes, and schollers as were superstitious, Prelaticall, and Malignant, and have placed in their stead such as are well affected to Reformation of Religion and Vniiformity with other Reformed Churches. They have passed severall Ordinances for the better observation of the Lords day and dayes of publik fast and thanksgiving, and have condemned all licentious practises vpon those dayes, and have ordered the books formerly written in favour of them to be publikly burnt. They have suppressed all stage plaies and interluds (the nurceries of vice and prophannesse). And although we must needs say that the greatest let and impediment which we have mett with in setling the Reformation of Religion (according to the Covenant) hath come from his Majesty, who by his refusing hitherto to grant our Desires for the taking away of Episcopacy and the Service Booke, and to settle the Directory for Worship and Presbyteriall Government, and by denying his concurrence to establish them by

Act of Parliament, hath given great occasioun to men of vnsound judgments to spread their opinions and errors (which is not vnusuall in times of Reformation) when the setting of it is long delayed; And further by his declaring in his late message from the Isle of Wight that he thinks himself obliged both as a Christian and as a King to imploy whatever power God shall put in his hand for the vphoulding of Episcopacy, he hath given great encouragment to the Popish, Prelaticall and Malignant party to endeavor by plots and designes, and now again by open force, the reintroducing of Episcopacy and the Service Book, which, by the coniunction of the Scottish Army with their forces, they have now great hopes to effect. Yet (by God's assistance, who hath helped vs hitherto), it shall be our care and indeavour, against all dangers and discouragements whatsoever, to proceed in the worke of Reformation vntill it be perfected.

‘For other things wherewith we are comonly aspersed, as that we should have intentions to alter the fundamentall Government of this Kingdome, both Houses have endeavoured so to stope the mouth of malice by declaring severall times formerly, and of late the 26 May, that they will not alter the Government by King, Lords and Comons, that we shall need to say no more of it.

‘And for our desires of peace, our seaven severall addresses to the King with Propositions for a safe and well grounded peace will sufficiently speake for us. And although the severall denialls which we have received from his Majesty formerly, and the present preparations for warr by the Malignant party of both Kingdoms, vnder pretence of peace, might wholly discourage vs, yet we (notwithstanding all the hazards that may attend it), now againe agreed to try whether a peace can be settled by a Treaty with his Majesty in the Isle of Wight, vpon the Propositions presented to him at Hampton Court, wherein we shall (by the help of God) approve ourselves such as are both desirous of a firme peace and mindfull of the trust reposed in vs by the people of this Kingdome for securing of Religion and their Liberties.

‘As for our desires to preserve the Vnion and brotherly agreement betuixt the Kingdoms, we shall not here say much about it, because the whole transaction betuixt our Commissioners and the Parliament and Comittee of Estates of

Scotland will be printed, wherein it will appeare what was offered in order to give them reall satisfaction in our Ingagements to them for the service of their Armies in England and Ireland, to which we could never get any answer. And what they demanded in the name and by the command of both Houses from the Parliament and Comittee of Estates of Scotland concerning severall English delinquents and incendiaries then in Scotland, which, by Treaties and Acts of Parliament passed in both Kingdomes, ought to have been delivered to be tried in the Kingdome of England, but instead of giving them vp, they wer countenanced and incouraged, consulted and agreed with to seize and hould the towne of Berwick and Carlile in the Kingdome of England, which, by Acts of Parliament and severall treaties and agreements of both Kingdoms, wer not to be garrisoned without the consent of both Parliaments: And when, in pursuance of those treaties and agreements, our Commissioners did declare those traitors and enemies to this Kingdom that had garisoned them, and required the like declaration from the Parliament and Comittee of Estates of Scotland, it could not be assented vnto, although very often pressed, but instead thereof all maner of provisions wer sent vnto them, and the Comanders in those garisons (though many of them notorious Papists) had much freedome and countenance to their proceedings by persons of eminent power in Scotland; Whereas, notwithstanding we had notice there was some designe for seizing these townes, which might have been prevented by timely putting forces into them, yet to avoid the guilt of breach of Treaties, wee rather resolved to rune the hazard which did ensue then to bring that imputation vpon our selves. And now it appears these townes were but taken in trust to be delivered to the Scotish forces, who, however they do publikly declair for Religion and the Covenant, yet the Papists and delinquents, not only in Berwick and Carlile, but in other parts of the Kingdome, who are professed enemies to Religion and the Covenant, and doe kill, plunder, and pursue those who have bene faithfull in them, are<sup>1</sup> so well satisfied of their ends and intentions that they joyne and hazard their lives and fortunes with them, whilst these forementioned

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<sup>1</sup> In MS. *and*.

councells and compliances wer thus on fute in Scotland with these that are declared enemies to the peace of this Kingdome, and the grounds of the Vnion of both Kingdoms. The Parliament of Scotland did send ws a paper of Desires, dated the 26th of Aprill last, which in the letter wherein they were inclosed are called Demands, that implyes a right which vpon examination will not be found. Yet the Houses wer so desirous to give the Parliament of Scotland all possible satisfaction that they did not take exception therevnto, nor to the person by whom they were sent, who was accused before them for endeavouring the revolt of the forces vnder the Lord Inchiquin in Ireland, which then had hapened; nor did they insist vpon the first granting of their aforesaid just demands made to the Parliament and Committee of Estates of Scotland: But, perceiving so strange an alteration in Scotland, they judged it fitt for them to try in the first place whether Scotland would owne the Cause wherein we had both been ingaged. And therefore, after our Comissioners had acquainted the Committee of Estates with our Declaration of the 6th of May last concerning our full resolution to mainteine and preserve inviolably the Solemne League and Covenant, and Treaties betuixt the Kingdoms, they did returne answer to this purpose: —That we did offer to joyne with the Parliament of Scotland in the Propositions presented to the King at Hampton Court, and in making such further proceedings therevpon as should be thought fitt for the speedy settlement of the peace of both Kingdoms and preservation of the Vnion according to the Covenant and Treaties; And when we should receive their answers therevnto, the Houses would be ready to give further satisfaction in those things which shall not intrenche vpon the particular interests of the Kingdome and priviledges of the Parliament of England. But to these all the Answers our Comissioners could obteyne from the Parliament or Committee of Estates of Scotland wes that they could returne ws no answer till just satisfaction wer given to their Desires of the sixe and twentieth of Aprile. Afterwards wee agreed vpon a personall Treaty with the Kings Majesty vpon the Propositions, hee first consenting to three propositions (which in substance he had granted in former messages), the Houses sent to the Committee

of Estates that Scotland would joyne with them, and that they would prepare such Propositions as they thought fitt for that Kingdome. But to this neither wee nor our Comissioners received any answer vntill a Scottish Army had invaded this Kingdome, and then we received it with a Declaration, of which wee will say no more in this place but that considering they were bound by Treaties and Act of Parliament to give ws three moneths warning before their making warr with ws, it had been more honourable that their Declaration had rather come before then followed after their Army. By all which, and by their vigorous pursuing the raising of their Army before they sent their desires, and ever after, before they knew what answer would be returned to them by the Houses, it doth appeare that this invasion was intended and resolved vpon, let ws say or doe what wee would. Wherein they have too little considered how many obligations did lye vpon them to the contrary, how much this their Ingagement tends to the vtter ruine of poore Ireland, who, by their drawing away so many of the Brittish and other forces to joyne with them, and disableing ws to send them releife, is exposed to eminent hazard, how much to the dishonour and danger of the Reformed Religion in all Christendome, and how highly the God of truth and peace is provoked by it; which evils, seeing we have on our parts so much laboured to prevent, wee doubt not but God will be with ws, and the prayers of his people for ws, and that those that have delt falsly in striking in hands with the comonemie to kindle a new fire betuixt these Kingdomes shall themselves perish therein.

*'Subscribitur,* H. HEYNGE, *Cler.*  
PARL. D. COM.'

Concerning the  
opposition in  
the west to the  
2nd levie.

The brethren vnderstanding of some stirring of the well affected people of the West, in opposition to the 2nd Levies raised in prosecution of the Engagement, thinke fitt that there be a frequent meeting here vpon Wednesday cum 8 dayes, and that advertisment be sent for that effect.

*Edinburgh, 6 September 1648.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas : Mr. David Dickson : Mr. James Hamiltoun : Mr. John Smyth : Mr. George Lesly : Mr. James

Gutterie : Mr. Robert Lawry : Mr. Thomas Vassie : Mr. John Sinclair : Mr. Patrik Colvill : Mr. Hew Kennedy : Mr. Robert Blair : Mr. Samuel Rutherford : Mr. Mungo Law : Mr. John Weir : Mr. James Nasmyth : Mr. Hew Mackaill : Mr. Patrik Sharpe : Mr. John Knox : Mr. William Fullertoun : Mr. John Home : Mr. Hew Archbald. **ELDERS.**—Lord Angus : Dundas : Rickartoun : Sir George Maxwell : Libbertoun : Inglis-toun : Dudistoun : Mr. Alexander Colvill : Sir John Cheisly : Mr. Robert Burnet : Lawrence Henderson : George Porterfeild.

Mr. David Dickson, Mr. Robert Blair, Mr. Robert Douglas Moderator. listed, Mr. Robert Douglas choysen Moderator in absence of Mr. George Gillaspie.

The Commission of Assembly appoints Messrs. David Dick- Committee. sone, Robert Blair, Samuel Rutherford, James Hamiltoun, James Gutterie, James Nasmyth, Mungo Law, John Smyth, Lord Angus, Nether Pollok, Dundas, Libbertoun, with the Moderator, to be a Comittee to consider what is incumbent to the Commission to doe at this tyme for securitie of Religion and prosecution of the Covenant, and for opposing the enemies thereof, and to report their opinions, and for that effect to sitt still in this same place after dissolving.

The Commission appoynts Messrs. Robert Blair, Mungo Brethren to seek Law, John Smith, Dundas, and Libbertoun to goe to the Correspondence with the Com- Comittee of Estates, now mett by Gods providence, and mittee of Estates, and to desire correspondence with their Lordships ; as also to desire take of the restraint of printing. that the restraint which wes putt vpon printing by a quorum of the Committee of Estates formerly sitting may be taken of, and the Kirk may enjoy their liberty of printing, which is acknowledged and approven by Acts of Parliament.

The Commission of the Generall Assembly appoynts Mr. Mr. Henry Henry Shaw, Minister at Logie, to be cited to appeir the Shaw. morne, to answer to the particulars given in against him concerning his scandalous cariage yesternight in this towne and other miscariages ; As also that Thomas Blair, James Cochrane in Air, Thomas Petticrue in Barronie of Glasgow, Mathew Wilsone in Glasgow, John Kirkstoun in Barrony of Glasgow, James Campbell, John Craige, Richard Slose in Air, Patrik Mackilven, William Robertsoun, servitour to John Craig, be cited to compeir to witnesse in that matter in so farr as they know and shall be speared at them.

The next meeting the morne at 10 houres.



*Edinburgh, 7 September 1648.*

*Sederunt* :—**MINISTERS**.—Mr. Robert Douglas, *Moderator*. Mr. Samuell Rutherford : Mr. Mungo Law : Mr. Robert Ker : Mr. James Hamiltoun : Mr. Patrik Colvill : Mr. Alexander Dunlope : Mr. William Oliphant : Mr. Kenneth Logie : Mr. Robert Blair : Mr. James Gutterie : Mr. John Knox : Mr. John Makghie : Mr. George Lesly : Mr. John Hamiltoun : Mr. Ephram Melvill : Mr. Alexander Livistoun : Mr. Hew Peebles : Mr. John Sinclair. **ELDERS**.—Lord Angus : Lord Borthwick : Mr. Robert Barclay : Lawrence Henderson : Robert Browne.

Reference, Mr. Henry Shaw to the Visitation of Sterline and Dumblane.

The Commission of Assembly refers and remitts the particulars concerning Mr. Henry Shaw to the tryall and censure of the Commissioners appointed by the late Generall Assembly for visitation of Sterling and Dumblaine.

Mr. John Hamiltoun and Mr. Patrik Colvill to preach in the Tron Kirk the nixt Sabbath.

The letter from Craford, Glencarne, and Lanerk this day read, and referred to the Committee appointed yesterday to be considered, and they are to report their opinions. Tenor of the letter follows :—

Letter from Earls of Craford, Glencarne, and Lanerk.

‘**RIGHT REVEREND**,—As the difference betuixt Church and State hes been of sad consequence to this Kingdome, so it hath been a great grieffe to ws ; And least we should be misvnderstood by yow at this tyme as if we were intending any intestine trouble, which is as horride to ws as destructive to this poore Kingdome ; Therefore wee thought fitt to shew yow the reasons of our withdrawing out of Edinburgh.

‘The Committee of Estates having thought fitt to have an frequent meeting of their number, that (by joynt advice of such as were intrusted by the Parliament with manageing the publik affaires of this Kingdome) such Resolutions might be taken as by the blessing of God the vnhappy differences betuixt Kirk and State might be removed, and such a concord and vnanimitie amongst all the well affected in this Kingdome begotten, as the great worke of Reformation so happily begun might have been caried on to the glory of God and satisfaction of all honest men. But in this meane tyme the Committee of Estates, being advertised of some forces drawing together in the West Countrey, thought fitt to send two of their owne number

to know from them the reasons thereof, that they might apply themselves to give reall satisfaction to all their just desires. And least there might be any engagement into action betuixt them and the forces raised by authoritie of the Parliament and Committee of Estates, they gave command to the Earle of Lanerick to draw their forces together, which he did toward the East for preventing all accidents which might interrupt the peace of the Kingdome; And lykewyse did desire that those in the West might not advance farther Eastward: Yet they did neverthesse with such celeritie advance towards Edinburgh as the Committee thought fitt to adjourne. And wee being informed that a considerable party of the Army were vpon the borders, wee conceived it fitt to repair thither, where our endeavours with them shall be to follow such resolutions as may most tend to the good and peace of this Kingdome, and the preventing of all civill dissensions. This being our clear intention, we could not thinke vpon any more effectuall course, for prosecuteing thereof, then to addresse ourselves to yow, as to the messengers of peace, that by your meanes and labours some such course may be taken, as all rents and breaches may be souldered vp, and a tymeous remedy applied to the present evils wherewith this Kingdome is threatned both from within and from abroad; For obtaining whereof we shall be so farr from doing anything which may interrupt that so much desired end, as we shall make it our greatest endeavour to follow such counsell from yow as may tend therevnto. And in regard the lying of the forces near together will be of great prejudice to this part of the countrey and those places where they shall lye, wee therefore desire your advice and answer herevnto may be speedily returned, as yow would prevent the sad consequences of an vnnaturall warre, which might make this Kingdome a reproach to their enemies, and render it a prey to the prevailing sectaries in England. Wee rest,

Your affectionat friends and servants,

*Sub.* CRAFTURD LINDSAY,  
GLENCARNE,  
LANRIK.'

Dunee, 6 September  
1648.

The nixt meeting the morne at 10 houres.

*Edinburgh, 8 September 1648.*

*Sederant* :—**MINISTERS**.—Mr. Robert Douglas, *Moderator*. Mr. Thomas Wassie : Mr. Hew Mackaill : Mr. George Lesly : Mr. Patrik Gillaspie : Mr. Alexander Dunlope : Mr. James Nasmyth : Mr. Ephram Melvill : Mr. Robert Ker : Mr. George Bennet : Mr. Fredrick Carmichell : Mr. Kenneth Logie : Mr. David Dickson : Mr. James Gutterie : Mr. Samuell Rutherford : Mr. John Hamiltoun : Mr. Patrik Colvill : Mr. John Makghie : Mr. William Foullertoun : Mr. Hew Archbald : Mr. Thomas Kircaldy : Mr. John Muncreiff : Mr. John Sinclair : Mr. Hew Peebles. **ELDERS**.—Lord Borthwick : Sir William Carmichaell : Nidry : Sir James Hacket : Libbertoun : Dundas : Dudistoun : Mr. Alexander Colvill : George Porterfeld : Lawrence Henderson.

Paper to the  
Committee of  
Estates.

The Comission approves the Paper to be given to the Comittee, and appoynts Messrs. David Dickson, George Lesly, Saumell Rutherford, and James Nasmyth, Dundas, and Libbertoun to present it ; Tenor whereof followes :—

‘ MAY IT PLEASE YOUR LORDSHIPS,—Amongst the many sadd afflictions wherewith the Lord hath exercised this land of late, vnto ws it was not one of the least that most of those who wer intrusted with the publik affaires of this Kingdome did not only break off wonted correspondence with the judicatories of the Kirk in those things which concerned Religion and the Covenant, but did also stoppe their eares and harden their hearts against all the faithfull warnings and healthsome admonitions of the servants of Jesus Christ, and with an high hand engaged in an vnlawfull warre against the Kingdome of England, which hath brought vpon their Armie a sudden and sore overthrow, as a testimony of the Lords heavy indignatioun and sore displeasure against the despysers of his Word ; And amongst many seasonable mercies wherewith the Lord now visiteth his afflicted people wee esteeme it to be a very great one that your Lordships, who by Gods Providence were nominat by the Parliament to be members of the Comittee of Estates, are now mett together for managing of publik affaires, being perswadit that yow will intertain that wonted correspondence that wes betuixt State and Kirk in the day wherein it went well with both, and that yow will hearken to the voyce of the Lords Word, and to the warnings of his servants. Wee shall not now trouble your Lordships with many things, least wee should take vp too much of your time when publik affaires call for so much diligence and

dispatch, but shall shortly lay before yow those few considerations which wee desire yow seriously to ponder, as yow would wish the Lord to be with yow and to prosper yow in your wayes.

‘First, That yow would not only search your owne privat walking, and endeavour the reformation of your selves, families, and followers, which though a duety solemnly vowed vnto God, yit hath never been seriously myndit vnto this day, but also that yow would in a speciall way search out and take notice of such sins are<sup>1</sup> yow are guilty of in relation to the worke of God ; Wee neither desyre nor delyte to descend vnto particulars, hoping that every on of your Lordships will in this day of the Lords loving kyndnes lay to heart your severall omissions in his worke, but we cannot neglect to represent vnto yow that self seeking and indulgence to and compliance with Malignants have been sins comon to many who have been employed in publik affaires. Whilst men should have in the singlenes of their hearts sought the Lord and his glory, they turned pietie into policie, and sought great things for them selves, more mynding their owne things then the things of God, and privat interests then publik ends. And Malignants have not only been connived at, but put in places of publik trust, which as it did highly provok the Lord, so did it at last in his just judgment put the whole power of the Kingdome into their hands, and bring the land to that miserable condition wherein it hath now stood for many dayes. These things, vntill they be acknowledged and repented of, will be matter of challenge and controversie against yow and the whole land, and therefore we warne yow, as in the sight of God, who hath been angrie with yow, that yow tymeously search how farr yow are guilty either of these or any other sins, whereby the Lords work hath been obstructed and retardit, and in this day of solemne humiliation, which divine providence hath made to tryst with your affaires, yow will endeavour to reconcile your self to God by confessing and repenting of what is past, and in the strenth of his grace engaging yourselves to the Lord to avoid the same for the time to come.

‘Nixt, Seeing the Lord hath begun to breake the yoke of

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<sup>1</sup> *Sic for as.*

oppressors from off our necks, and to stirre vp the spirits of his people to make them willing in the day of his power, wee doe, in the name of the Lord Jesus, and by the mercies of God, seriously beseech yow that yow will be carefull to make vse of the present opportunity, and to improve it to the best advantage for securing of Religion, preserving the Vnion betuixt the Kingdoms, and delivering this land from the snares of vnlawfull acts and bands, and from the remnant of the violence and oppression of those who have caried on, and still endeavour to cary on, that vnlawfull Engagement against the Kingdome of England.

‘Thirdly, That yow will be cairfull as not to neglect any just and honourable way of a safe peace for preventing the inconveniences of a civill warre, so that yow doe no thing that may reflect vpon the Vnion betuixt the Kingdomes, and give just offence to our brethren in England, or involve ws in any measure of accession to the guilt of those who have invadit that Kingdome ; And that such course may be taken that<sup>1</sup> disaffected men with whom yow have now to doe, as that the land may not be brought againe vnder the same mischeefs, whereof they have been formerlie instrumentall ; And that yow will avoid every thing which savoures of compliance with all malignant and disaffected persons. If efter so much deer coft experience wee should againe splitt vpon the same rock, as our ruine should be just before God, so could wee not but bear the blame of exceeding great folly before men. And therefore wee trust that your Lordships will not hearken to the counsellis of flesh and blood, but to the voice of the Lords Word, and that you will adhere vnto the Covenant, and walk according to the first principles of these who first engaged therein, that Religion and Righteousnesse being established, the King and his posteritie may reigne over ws in prosperitie and peace. Not only wee, but a considerable part of the Lords people who have taken their lives in their hands and have come furth vpon the publik service, nay, all that love Religion in the land, have their eyes vpon your Lordships, and doe promise to themselves that yow will lay aside all privat interests and respect to

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<sup>1</sup> *Sic* probably for *with*.

persons, and that yow will also in the simplicitie of your heart so walk, as that it may appeare yow are not seeking your selfs and your owne things, but intend in every thing to approve your selves to God, and to the consciences of his people. So shall the Lord prosper yow, and so shall his servants and people blesse yow.'

*Postscript.*—'It is our desire and expectation that your Lordships will be pleased to cause take off the restraint of the presse, that the Kirk may enjoy the free vse of the priviledge of printing acknowledged and confirmed by Act of Parliament; and for the better mutuall vnderstanding and preventing of mistake and misreports, which are spread amongst the people, wee also earnestlie desire that your Lordships will be pleased so soone as may be to appoint a conference with some of our number.'

The Commission appoynts for conference with any appoynted by the Comittee Messrs. David Dickson, Robert Blair, John Smith, James Gutterie, James Nasmith, Lord Angus, Niddrie, and Libbertoun, with the Moderator.

Committee for Conference.

The Commission resolve to keepe correspondence with the gentlemen that are now mett together for the publik service; And therefore appoynts Messrs. James Hamiltoun, Mungo Law, George Leslie and Patrik Gillaspie, to meet with them at Edinburgh afternoon in the Tailzeors Hall.

Correspondence with the gentlemen met for the publik service.

The next meeting afternoon.

*Eodem die post meridiem.*

*Sederunt vt ante meridiem.*

The Comission of Assembly approves the Answer to the Earles of Crafurde, Glencarne, and Lanerk, and for correspondence appoynts it to be presented to the Comittee of Estates; Tenor whereof followes:—

'RIGHT HONOURABLE,—The sadd consequences that have flowed from your rejecting of the counsell of God by the mouth of his servants are most apparent. But we mervail exceedingly that in your Lordships letter we cannot observe the least appearance of vnfaigned repentance, notwithstanding that Almighty God hath thundered downe so sad a declaration of His displeasure vpon yow, who despysed all the warnings of His

The answer to the letter from Earles of Crafurde, Glencarne, and Lanerk.

servants. Wee heard not a little by reports of your peacable inclination and offers to give satisfaction; Your letter also gives a hint of detesting any intentions of intestine troubles; But, as your former cariage give ws just cause to feare, so we doe not perceive by anything contained in your letter but that your Lordships still intend to persist in your former courses of oppressing the bodies, estates, and consciences of the well affected, and to persew your late sinfull Engagement, so violently pressed with new levies and subscription of bands, which not only causes but also necessitats all the opposition you have or may hereafter meet with. But if your Lordships, as yow professe, abhorre intestine troubles, how is it that there are such preparations on your part for warre, by giving vnlawfull comissions vnto, and stirring vp classed incendiaries, and such as have been active and eminent in the late Rebellion vnder the conduct of James Grahame? How these practises can consist with the professed and noysed inclinations to peace we cannot vnderstand. And whereas your Lordships wrytte of the intention of a frequent meeting for removing the vnhappy differences betuixt Kirk and State, and for begetting concord and vnitie amongst all the well affected, and for carying on the great work of Reformation, wee professe wee see no ground from your former meetings, since the late Ingagement, to incourage ws to hope any such thing; Neither know wee of any divisions amongst the well affected, but haue reason to blesse God for the concord and vnanimitie that is amongst them. Als for the celeritie of advancing of forces from the West, we doubt not but such an answer hath been given to your Lordships Comissioners as may give satisfaction.

‘Your Lordships call to ws as the messengers of peace, that by our means and labours some such course may be taken as all rents and breaches may be souldered vp, promising to follow such courses as may tend therevnto; We conceive this is not a time for souldering and patching vp rents and breaches amongst men of different principles: A solide and well-grounded peace vpon the old honest principles, according to the Covenant, hath been, and shall be still our endeavour. And though we from former experience fear that our counsall shall be slighted, yet, as in the sight of the Searcher of hearts, we

shall give the same to your Lordships. And first we exhort your Lordships that yow labour to bring your hearts to vnfained repentance for the late sinfull Ingagement whereby yow have provoked the wrath of God, indangered Religion, laboured to rent asunder the Covenanted Kingdomes, oppressed horribly this Kingdome, hardned the hearts of Malignants, destroyed your owne friends, strengthned the hands of Sectaries, and laid a great stumbling block in the way of the Kings delivery. Next, we exhort your Lordships to give evidence of the soundnesse of your repentance, and of your professed inclination to the peace and securitie of this Kingdome, by laying doune armes, and forbearing to doe any thing, or to continew in any such course as may trouble or infest this Kingdome, or further provock the Kingdome of England against yow, or which may discover a continued desire in yow to hinder a Treaty betwixt the Kingdoms for promoting the work of Reformation, setting his Majesty on his throne in a due and orderly way, and strengthening the vnion of the Kingdoms; to which we thinke your Lordships should readily inclyne, if yow consider that it is no wise probable that the Kingdome of England will treat with yow, after a defeat of your forces, whom they declared enemies in their greatest strength. If our former counsells had been imbraced, it had been better with your Lordships then it is to-day; and if our present faithfull counsell shall be as formerlie despysed, we have given our testimony and liberate our souls, and leaves it vpon your Lordships as yee will answer to the judge of the quicke and the dead in the great day of the Lord. Wee desire to hope better things from yow, which shall also be the prayer of

Your Lordships servants in the Lord,

Edinburgh,

THE COMISSIONERS

8 September 1648.

OF THE GENERALL ASSEMBLY.

Direct:—*To the right honourable the Earles of Craford, Glencarne, and Lanerk.*

*Edinburgh, 9 September 1648,  
hora 8a Matutina.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*: Mr. David Dickson: Mr. Robert Blair: Mr. James Hamiltoun: Mr. James



Nasmyth : Mr. James Gutterie : Mr. George Lesly : Mr. John Smyth : Mr. John Gemble : Mr. Samuel Rutherford : Mr. Robert Lawrie : Mr. Alexander Livistoun : Mr. Mungo Law : Mr. Thomas Wassie : Mr. William Foullartoun : Mr. Hew Kennedy : Mr. George Bennet. ELDERs.—Sir James Stewart : Lawrence Henderson : Sir John Cheislie.

This day a short Declaration being read, which the Comittee was appoynted to draw, The same wes approuen; Tenor whereof followes:—

*‘ A Short Declaration of the Comission of the Generall Assembly to the whole Kirk and Kingdome concerning present dangers and duties.*

The Short  
Declaration.

‘ Albeit the sadd and dangerous condition wherein this Kirk and Kingdome is now cast, by the publik resolutions and practises of these who have ingaged in war against the Kingdom of England, doe proclaim vnto all the lovers of Religion and the countrey what is needfull to be done in this day of distresse, yet, for the better information of the Lords people, wee conceive it necessarie shortly for the present to declare what we hold incumbent in Duty to all these who would not betray the cause of God and render themselves slaves to the tyranny and lust of vngodly and malignant men, hoping in a short tyme to make knowne our thoughts of these particulars more fully.

‘ When the disaffected and prevailing party in the Parliament of this Kingdome did manifest head-strong resolutions to make war vpon England, vnder a pretext of suppressing sectaries, but in effect to dissolve the Vnion betuixt the Kingdoms, and to restore the King to the exercise of his Arbitrary Government, and make way for promoving of the designes of the Malignant Party in both nations; just and necessary Desires relating vnto the grounds of an Ingagement and vnto the securing of Religion were presented vnto their Lordships by the Comission of the former Generall Assembly: But these Desires were altogether slighted, and an Ingagement resolved vpon such grounds as are contrary to the Word of God, and do infer the breach of all the Articles of the Solemne League and Covenant, as is clearly holden forth in the Declaration of the last Generall Assembly; wherein also may be seen the great in-croachments that are made vpon the liberties of the Kirk. Neither was there any regard had vnto the dissent and protestation of a considerable number of Members of Parliament who had been most active and streight in the cause from the begining; nor vnto

the petitions and supplications of many Synods and Presbyteries, and of all the well affected people of the land, who were seeking satisfaction to their consciences. But instead of a satisfactory answer, the Ingagement whilk was wickedly resolved was violently caried on by most strange plundering and cruell oppression, especially of these who did declayne it vpon no other ground then out of fear and sin against God. And as though it had been too little to force obedience vnto their vnlawfull Resolutions and Acts, the Committee of Estates have vrged and pressed the subscribing of a Band and Declaration of Parliament, wherein men are obliged to acknowledge the justice and equity of all the acts, conclusions, and resolutions thereof, or if they refuse, are to be esteemed enemies to Religion and their countrey. And after that the Committee of Estates had sent such an Army into England as by the leaders thereof was professed to be so considerable as was sufficient to prosecute their resolutions in that Kingdome, without any further supplies of forces from this; yet they have resolved vpon and prosecuted a new levie, with no lesse violence then the former, that they may wreith the yoke of their oppression vpon the necks of the Lords people, and bring the whole Kingdome in slavery and bondage. And though the Lord hath declared his wrath from heaven against these their resolutions and proceedings, by bringing their Army to so sudden and shamefull an overthrow; yet doe they still adhere vnto and persew the same designs, and have not only brought within the bowells of this Kingdome the remnant of that godlesse and prophane Army, but have given comission also to classed incendiaries and rebels, who served vnder the conduct of James Grahame, to raise forces, and by the whole tenour of their cariage doe make it appear to all who have eyes to see that they doe intend rather to involve the Kingdome in blood then to be restrained in the persuite of their former wicked resolutions.

‘Therefore albeit the thoughts of peace be pretious vnto vs, and that we wish and exhort every one to follow peace with all men, as much as is possible, yet looking vpon the eminent dangers that threaten Religion, the greivous oppressions that lies vpon the Lords people in their consciences, persons, and estates, and the many fearfull evils that threatens both Kirk and Kingdome, if the remnant of these mens wrath be not restrained, wee conceive that all the people of God are obliged and ingaged by Covenant, with their lives and estates, to endeavour and persew these fol-

lowing ends, and to oppose all the enemies and adversaries thereof :  
(1) Because Religion is of all things the most excellent and precious, the securing thereof is to be most in our thoughts, and in the endeavours of all men, that it may be preserved vnto ws, and transmitted vnto our posteritie in puritie. Secondly, All are bound to defend and maintaine the liberties of the Kirk, which is the House of God and the ground and pillar of Truth. Thirdly, All are bound to vindicate the liberties of the subjects in all these things which concerne their consciences, persons, and estates. Fourthly, There is no lesse obligation carefully to maintain the Vnion betuixt the Kingdoms, and to avoide every thing that may weaken the same, or involve ws in any measure of accession vnto the guilt of these who have invaded the Kingdome of England. Fifthly, All are to endeavour the Kings Majesties restitution to the exercise of his royall power, as soon as he shall give security for Religion in the manner expressed in the Desires of the late Comission of the Kirk, and shall give satisfaction in such other things as are necessary for the peace and safety of the Kingdome. Sixthly, All are to take a more effectual course then heretofore for punishing and suppressing of all Malignancy, injustice, iniquity, prophanenesse, and impietie, and to endeavour that the best and fittest remedies be applyed for taking away the causes of these evils, and advancing Religion and Righteousnesse in the land, and that those men who have been formerly instrumentall in our present miseries and calamities be not again admitted vnto any such trust or power as may enable them to involve the land in the same or the like evils.

‘These things are of such importance and consequence as that we know not what can be expected without them but a continuance and increase of our present miseries and calamities. And therefore, seing the Lord hath now put into the hands of his people such an opportunitie, and made many willing in the day of his power, Wee doe exhort and beseech all men throughout the land by the mercies of God, who hath not given ws over vnto death, but left ws a naill in his holy place, that they would seriously mind, and to the vtmost of their power prefer these ends against all lets and impediments whatsoever, and oppose all these who stand for the Engagement. In the begining of this work the Lord stired vp the spirits of his people to joyne together and defend themselves against tyranny and oppression in these things which concerned their consciences and liberties; and albeit their

power was but small, and the strength of adversaries great, yet because they did their dutie in the simplicitie of their hearts, and trusted in the name of the Lord, he was pleased to make the enemies melt as wax before the fire, and to vanish as smoke before the wind. And if, after so many rich experiences of his assistance, and rare testimonies of his loving kyndnesse and great deliverances out of troubles, and solemne engagements by vows and Covenants, we should sitt still, or comply with those who have caried on the Ingagement, in a time that threatens so much danger vnto Religion, and so imminent ruine to our liberties, persons, and estates, we could not but be exceedingly guilty before the Lord, and deserve to be plagued as betrayers of the Cause of God, and of the safety both of Kirk and State. Let vs therefore arise and do our duty, and the Lord of Hosts, who hath already broken the power and pride of our adversaries, shall be with vs.'

This day the Lords Humbie and Ley produced a letter from the Lords Craford and Lanerk, George Monroe and others, together with the copie of their Articles to the Lords and others in Armes at Leith; tenor whereof follows:—

Letter from  
Earles of  
Craford and  
Lanerk, George  
Munro and  
others.

*'Haddington, 8 September 1648.*

'RIGHT REVEREND,—It hath been no small grieffe to vs to finde that this service wherevnto the Parliament did ingage vs was discountenanced by the Kirk of Scotland. And now, least our procedure at this time should be misvnderstood by yow, we have thought fitt to make this addresse vnto yow for clearing the reality of our intentions, which are no other then with sincerity and faithfulnessse to continue firme to the ends of our Soleme League and Covenant, in such a way, and no otherwayes, to pursue it then shall be mutually agreed vpon by Church and State. And if our service shall not be required herein, we shall, vpon satisfaction to our necessary demands concerning our owne securities, most willingly lay doune our charges. But if our perfect desires and inclinations to peace and concord be rejected, notwithstanding our willingnessse to comply entirely with all the desires can be made to vs for the good of Religion, and that personall prejudices against any of vs be so violently pursued, as it be preferred to the peace of the Kingdome, wee are resolved to hazard our lives in our owne defence; in which so just a cause we are confident of the Lords assist-

ance, who will require the blood that shall be shedd in this querrell at their hands who prefer their own interests to the peace of Scotland. Thus desireing yow to apply your selves speedily to the removing of all differences, as yow would prevent the sadd effects of a civill warre, wee rest,

Your affectionat friends and servants,

*Subscritbitur,*

CRAFURD LINDSAY,	LANRIK,	J. INNEES,
ROBERT INNES,	JOHN HUME,	AL. DUNCAN,
ROBERT LESLIE,	J. LYONE,	JO. WATSON.'

‘RIGHT HONORABLE,—It is the desire of the officers of this Armie that yow would be pleased to communicat the inclosed to the Lords and Gentlemen now in Armes in and about Edinburgh, it being alwayes vnderstood that they are no wayes limited nor bound vp from enlarging their quarters where they shall find the service require, I am,

‘Your Lordships humble servant,

*‘Subscritbitur, CRAFURD LINDSAY.’*

‘Yow are desired to deliver a double of the inclosed to the Comission of the Kirk, becaus we had no time to transcribe it.’

*‘Vera copia.’*

Direct: *For the Lords Humby and Ley.*

*‘For the Right honourable the Lord Humby and the Lord Ley to be communicated to the Lords and Gentlemen now in Armes in and about Edinburgh.’*

The Articles  
sent from  
Crafurd,  
Lanerk, and  
others to the  
Lords and  
others in armes  
at Leith.

‘Quhereas in obedience to the comands of the Parliament and Comittee of Estates, wee have been ingaged to hazard our lives for the preservation of Religion, the Kings rescue, and peace of the Kingdoms; And since it hath pleased God to suffer many of our Armie to fall in this cause, we have been necessitated, such of ws as was in England, to returne vnto this Kingdome, where we are ready to be disposed vpon and obey such orders as the Comittee of Estates of Parliament shall thinke fitt to give ws, being most willing to hazard our lyves in prosecution of the ends of the Covenant, for the good of

Religion, King, and Kingdoms, in such a way as mutuallie shall be agreed vpon by Church and State. But if they shall have no further vse of our service, wee shall most chearfully lay doune our charges, whereby this Kingdome may be eased of the burthen of any further maintenance of Armies, in order wherevnto wee desire the ensuing Articles may be condiscended vnto.

‘1. That no thing be done to derogate from the honour and auctoritie of Parliament and Comittee of Estates.

‘2. That the officers and souldiers now in armes be their auctoritie may be provided for and interteyned, if there shall be anie further vse of their service.

‘3. If there be no further vse of their service, wee desire that the articles and conditions agreed to be the Parliament and Comittee of Estates with General Maior George Monroe and the forces come from Irland with him may be punctually observed to them.

‘4. If the Scottish forces be thought fitt to be disbanded, that their great losses and paines may be taken in consideration.

‘5. That seing this late Ingagement was made be auctoritie of Parliament, wee desire that none who have entered therevnto be questioned therfore, or for any act or deed done by them relateing thereto, but that they enjoy all their honours, fortunes, and offices in State with wther civill places whatsoever.

‘6. That an effectuall course may be condiscendit on for releife of our friends who are now detained prisoners in England.

‘7. That the Comittee of Estates may meet with freedome in the ordinarie place of meeting, that they be the advyse of the Kirk may consider of the danger to Religion, his Majestie and his posterity, and the peace and safety of his Kingdoms, that by their joynt advyse such wayes may be taken as may best secure Religion, preserve his Majestie and his posteritie, and quyet the distempers here. And for the better removing of all differences and preventing the ingageing in a civill warre, which of all things wee doe abhorre, we shall authorize four of our number, with full power from ws, to treat and conclude vpon the best wayes for settling and putting to an happie end

all thir vnhappy divisions. Wee expect your answer betuixt and tuelf a clock at noon the nynth of this instant September 1648.

*Hadingtoun, the 8 of September,  
at 10 at night.*

*Sic subscribitur*, CRAFTURD LINDSAY, LANERK,  
SIR JO. INNEIS, JOHN HOME,  
G. MONROE, ROT. INNEIS, AL. DUNCAN,  
J. LYON, JO. WATSON, RO. LESLIE,  
GEO. OGILVIE, LEDINGTON.'.

Adjournment  
to Leith.

The Commission in respect of the papers now received from Crafturd and other Noblemen and officers in armes at Hadingtoun, thinke fitt, for correspondence with the Noblemen and Gentlemen with the forces come from the West and now at Leith, to repair to Leith presently to the South Kirk, and there with these Noblemen and Gentlemen confer vpon the matters.

*Leith, eodem die, ante meridiem.*

*Sederunt*.—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Samuel Rutherford: Mr. John Smyth: Mr. Thomas Wassie: Mr. James Gutterie: Mr. George Bennet: Mr. Patrik Sharpe: Mr. Alexander Livistoun: Mr. David Dickson: Mr. James Nasmyth: Mr. George Lesly: Mr. Hew Kennedy: Mr. Patrik Gillaspie: Mr. William Foullartoun: Mr. Hew Mackaill: Mr. John Weir. ELDERS.—Eglington: Balmerino: Burley: Dundas: Niddrie: Libbertoun: Sir John Cheisly: George Porterfeild.

Answer to the  
Letter from  
Earls Crafturd,  
Lanerk, George  
Munro, and  
others.

After conference with the Noblemen and Gentlemen at Leith, and serious consideration of the letter and Articles sent from the Noblemen and Gentlemen at Hadingtoun, the Commission resolved to returne this answeare:—

‘RIGHT HONORABLE,—Wee received your Lordships letter with a copie of the Articles appoynted to be communicate by the Lords Humby and Ley to the Lords and Gentlemen in armes in and about Edinburgh, which Articles are so contrary to perfect desires and right inclinations to a lawfull and just peace, as that we cannot but look vpon them as things destructive to the Covenant and Religion and to the safety of the Kingdome, because they involve an approbation and carieing on of the Engagement against the Kingdome of England, which by the

Generall Assembly is condemned as vnlawfull and contrarie to Gods Word. Therefore it doth clearly appear that it is not the purs[u]ing of personall prejudices against any of your Lordships, or preferring of those to the peace of the Kingdoms, that is endeavoured, But the pursuing of the ends of the Covenant for securing of Religion, vindicating the liberties of the subiects in their consciences, persones, and estates, and preserving the vnion between the Kingdoms. For which cause, if yow shall refuse the offers made vnto yow by the Noblemen and Gentlemen here conueened, vpon yow certainly and your families shall lye the guilt of all the blood shed, and consequences that shall follow therevpon. But if your Lordships shall hearken to those offers, we shall be ready to send some of our number alongst with these that shall be nominat by the Lords and Gentlemen here, to endeavour a right vnderstanding in all things; And in the meane while we expect that your Lordships and your forces will keep the solemne Fast and humiliation appoynted by the late General Assembly, now by Divyne Providence trysting with these affaires, that yow may begg of the Lord to open your eyes to see the vnlawfulnessse of your late Engagement, that yow may repent thereof, and desist from every evill course tending to the prejudice of Religion and the peace and happines of these Kingdoms, and in every thing behave your selves according to your solemne professions. And so wee continue,

Your Lordships servants in the Lord.'

*Leith, 9 September 1648.'*

Direct: *To the Right Honourable the Earles of Craford, Lanerk and vther Gentlemen with them at Hadingtoun.*

The next meeting vpon advertisement.

*At the Leager vpon the Craigs, 10 September 1648,  
post meridiem.*

The brethren present thinke fitt to continue their meeting vntill the morne at 10 houres in this place.

*At the Leager vpon the North Craiges, neir Edinburgh,  
11 September 1648, ante meridiem.*

*Sederunt:—MINISTERS.—Mr. Robert Douglas, Moderator. Mr. Samuel Rutherford: Mr. Mungo Law: Mr. John Gemill: Mr. John Makcledlan:*



Mr. Hew Kennedy : Mr. David Dickson : Mr. George Lesly : Mr. James Gutterie : Mr. Alexander Levistoun : Mr. Robert Ker : Mr. James Nasmyth : Mr. William Foullertoun : Mr. John Weir : Mr. Thomas Wassie : Mr. Patrik Colvill : Mr. Patrik Sharpe : Mr. John Home : Mr. John Hamiltoun : Mr. James Hamiltoun : Mr. Robert Lawrie : Mr. Patrik Gillaspie. ELDERS.—Dundas : Sir James Hacket : Sir James Stewart : Lawrence Henderson : William Broune.

This day the Moderator shew a letter he received yesterday morning early from Craford, Lanerk, and George Monroe, together with the answer he returned, there not being convenience to convene the Commission, yesterday being the Sabbath; which letter and answer being read, the Commission did approve the answer. Tenor of the letter and the Moderators answer follows:—

Letter from  
Earles Craford  
Lanerk and  
George Munro  
to the Modera-  
tor.

‘RIGHT REVEREND,—Howsoever our actions and intentions be exceedingly misunderstood, yet that it may appeare to yow and all the world how vnwilling we are to ingage in an civill warre, wee have condescended to a Treaty vpon what may conduce for the settling of truth and peace to begin tomorrow at sex a clock in the morning at Whitehill or Brunstoun, at the option of those Noblemen and Gentlemen to whom we have sent, where we desire yee wold appoint some of your number to be witnesses to what shall passe, at which tyme we hope to make our reall intentions for settling of Religion and removing all differences fullie appeare. But if those our offers of a Treatie be either refused or delayed, which to ws is equall to a refusall, or that those Noblemen and Gentlemen doe not come with those reall intentions of peace we doe, vpon them certainly and their families, and such as shall countenance them, shall lye the guilt of all the bloodshed and sadd consequences shall follow therevpon. Wee are, Your servants,

*Subscritur, CRAFTUR LINDSAY, LANRIK, J. MONRO.’*

*Innesk,  
9 September 1648.’*

*Direct: For the Right Reverend Mr. Robert Douglas,  
Minister of Edinburgh, These.*

Answer sent  
by Mr. Robert  
Douglas.

‘RIGHT HONOURABLE,—I could not have expected but that your Lordships would have hearkned to the desire of the Commission of the Assembly of keeping the Fast this day,

especiallie seing there are so important causes at this tyme, both on your Lordships part and on ours. And it being impossible to conveene the Comission at this tyme, most of the members thereof being about the attendance of their charges and the dewties of the solemne work of this day, your Lordships proposition for a Treatie seems to me rather to import a refusall of the thing then any condescendance thereto, seing it includes such conditions and circumstances as cannot be performed. And therefore, conceiving that it will be very scandalous, and greive the Spirit of God, to obstruct so solemne and necessarie a worshipec, I make bold to desire and to presse vpon your Lordships, as in the sight of God, that yow wold be pleased to spare this day and sett it apart for the publik worship of God, especiallie sieing the Noblemen and Gentlemen here have condescended to treat with your Lordships tomorrow morning, at which tyme, I doubt not, the Comission will send some of their number to attend it; to which purpose I shall conveene them after the sermons. If your Lordships shall refuse this desire, I leive it to your Lordships to consider at whose hands God may require the guilt of the profanation of his day and service, and of all bloodshed and the sadd consequences that may follow therevpon, which possibly might be prevented by a delay. I am

Your Lordships humble servant in the Lord,

Edinburgh,

Mr. R. DOUGLAS.

10 September 1648.

Direct: *To the Right Honourable the Earles of Craford and Lanerk, These.*

A Letter from Mr. George Gillaspie being this day read, the Comission appoynts it to be registrat; Tenor whereof follows:—

‘MY VERY REVEREND AND DEAR BREETHREN,—Although the Lords hand detaineth me from attending your meeting, yet as long as I can wrytte or speak I dar not be silent, nor conceal my thoughts of any sinful and dangerous course in the publik proceedings. Having therefore heard of some motions and beginnings of compliance with those who have been so deeply ingaged in a warre destructive to Religion and the liberties of

Letter from  
Mr. George  
Gillaspie to the  
Commission of  
the Generall  
Assembly.

the Kingdoms, I can not but discharge my conscience in giving a testimony against all such compliance. I know and am persuaded that all the faithfull witnesses that gave testimony to the Thesis, that the late Ingagement was contrary and destructive to the Covenant, will also give testimony to the Appendix, that compliance with any who have been active in that Ingagement is most sinfull and vnlawfull. I am not able to express all the evils of that compliance, they are so many. Sure I am it wer a hardning of the Malignant party, a wounding of the hearts of the godly, an infinite wronging of those who from their affection to the Covenant and Cause of God have taken their life in their hand, a great scandall to our Brethren of England, who as they have been strengthened and encouraged by hearing of the zeall and integritie of the well-affected in this Kingdome, and how they opposed the late Ingagement, so they would be as much scandalized to hear of a compliance with Malignants now; yea, all that hear of it might justly stand amazed at ws, and looke on ws as a people infatuated, that can take in our bosome the fyrie serpents that have stung ws so sore. But aboue all, that which would hight this sinne even to the heavens is this, that it wer not only a horrible backsliding, but a backsliding into that very sinne which was especially pointed at and punished by the prevalency of the Malignant party, God justly making them thornes and scourges who wer taken in as friends without any reall evidence or fruits of repentance. Alas! shall we splitt twice vpon the same rock, yea runne vpon it, when God hath sett a beacon on it? Shall we be so demented as to fall back into the same sinne which was engraven with great letters in our late judgement? Yea, I may say, shall we thus outface and outdare the Almightye by protecting his and our enemies when he is persecuting them, when the anger of the Lord is burning against them, by setting them on their feet when God hath cast them doune? Oh, shall neither judgement nor deliverances make ws wise? I must here apply to our present condition the words of Ezra: "And after that is come vpon ws for our evill deeds and for [our] great trespass, seing that thou, our God, hast punished ws lesse than our iniquities deserve, and hast given ws such deliverance as this, Should wee againe

breake thy comandements and joyne in affinitie with the people of these abominations, wouldst thou not be angry with ws till thou hadst consumed ws, so that there should be no remnant nor escaping?" O happy Scotland, if thow canst now improve aright and not abuse this golden opportunitie! But if thow wilt help the vngodly, and love them that hate the Lord, wrath vpon wrath, and woe vpon woe, shall be vpon thee from the Lord.

'This testimony of a dying man (who expects to stand shortly before the tribunall of Christ) I leave with yow, my Reverend Brethren, being confident of yow through the Lord that yow will be none otherwise minded, but that as men of God, moved with the zeale of God, yow will freely discharge your consciences against every thing which yee see lifting vp it self against the Kingdome of our Lord Jesus. This shall be your peace and confort in your latter end. Now the God of all grace establish yow, direct yow, and preserve yow all blamelesse to the end, and bring others out of the snare that hanker after that compliance. So prayeth

Your most affectionat brother to serve yow  
in what I can to my last,

*Kirkcaldie,*

*Subscribitur, GEO. GILLESPIE.'*

7 September 1648.

*Direct: For the Right Reverend the Commissioners of the Generall Assembly met at Edinburgh.*

The Commission of the Generall Assembly finding it a necessary dewtie lying vpon them to send some of their number to the Earles of Craford and Lanerk and the Noblemen and Gentlemen in armes with them, to lay before them the evill of the wayes and courses they are on, and to endeavour to reclame them from the same, Doe therefore appoynt Mr. Robert Douglas, Moderator, Mr. Robert Blair, Mr. James Gutterie, and Mr. James Nasmyth, with the Lairds of Dundas and Libbertoun, to goe vnto them, with full power in their names to exhort them freely and seriously to repent of these evils they have done, to lay doune armes for the peace of this Kingdome, to cease from every thing that may impeded the securing of Religion and the vnion of the Kingdoms, and to condescend to all things

a Commission for Conference with and exhortation to the Eries of Craford and Lanerk and others with them in armes.

that may tend therevnto; Authorizing them also with power to be assisting with their counsell and advyce to those that shall be appoynted by the Noblemen and Gentlemen heire in armes to confeir with these other Noblemen and Gentlemen aformentioned, They alwayes dissenting from everything that may directly or indirectly approve the late vnlawfull Engagement in warre with England, or be preiudiciall to Religion, the vnion betuixt the Kingdoms, and the peace of this Kingdome.

Advise to the visitation of Sterline and Dumblane to continue their meeting.

The Commission of the Generall Assembly, in respect of the condition of the times, Doe advyse the brethren vpon the Comission for the visitation of Sterling and Dumblane to continue their first meeting vntill the last Wednesday of this moneth, And that Mr. Alexander Dunlope and Mr. Hew Kennedy, with Mr. Andro Ker, the Clerk, goe to Sterling for that purpose, And that they send advertisment of this dyet to the remanent members of that Commission.

The Commission thinke fitt that a quorum attend the forces that came from the West, at least for some tyme, vntill they see what effect the Treaty and conference with the Earles of Crafurd and Lanerk and vther Noblemen and Gentlemen with them shall tak.

*At the Leager near Falkirk, 13 September 1648, ante meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator* : Mr. Robert Baillie : Mr. Patrik Sharpe : Mr. James Gutterie : Mr. George Bennet : Mr. John Home : Mr. Thomas Wassie : Mr. Patrik Colvill : Mr. Patrik Gillespie : Mr. Robert Blair : Mr. William Jameson : Mr. Alexander Livistoun : Mr. James Nasmyth : Mr. Robert Birnie : Mr. Alexander Dunlope : Mr. John Hamiltoun : Mr. William Foullartoun : Mr. Hew Peebles. ELDERS.—Dundas : Libbertoun : Louchtour : Mr. Robert Barclay : Robert Broune.

Fast.

The Commission thinke fitt that there be a fast in the Army, and that the causes thereof be drawn vp by Mr. James Gutterie and Mr. James Nasmyth, and this day to be advysed vpon with the generall officers, and appoynts Mr. Robert Douglas and Mr. Robert Blair to preach to the Comittee and generall persons.

The next meeting at 3 afternoon in the Kirk.

*At Falkirk, 15 September 1648, in the morning.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator* : Mr. James Gutterie : Mr. Patrik Gillaspie : Mr. Patrik Colvill : Mr. Alexander Dunlope : Mr. James Ferguson : Mr. William Foullertoun : Mr. John Home : Mr. John Gemill : Mr. Robert Blair : Mr. James Nasmyth : Mr. Patrik Fleeming : Mr. Alexander Dickson : Mr. Hew Peebles : Mr. Alexander Livistoun : Mr. Hew Kennedy : Mr. George Hutcheson : Mr. Alexander Spittle. ELDERS.—Marques Argyle : Earle Lothian : Libbertoun : Wauchtoun : Dundas : Sir John Cheislie : Mr. Robert Barclay : George Porterfeild : William Russell.

This day report made of the Conference with the Lords mett at Woodside by the brethren that were there, who according to their Comission gave in to these Lords a paper; tenor whereof followes :—

*‘The Representation of those intrusted by the Comission of the Generall Assembly vnto the Right Honourable the Earles of Craford and Glencairne.*

‘Whereas your Lordships doe desire that we should deliver vnto yow in writting what we have in trust comitted vnto ws from the Comission of the Generall Assembly, Therefore in pursuance and discharge of that trust we doe in the first place seriously and in the bowells of Jesus Christ, whose servants we are, exhort your Lordships and those whom you represent to repent of the sinne and offence of that vnlawfull Ingagement in warre against the Kingdome of England, which hath been so violently caried on, with the oppression of the Lords people in their consciences, persons, and estates, notwithstanding of the many faithfull warnings of the servants of God, and supplications from manie Presbyteries and Synods and Comittees of Shyres to the contrarie. We shall not now neid to insist vpon arguments to prove the sinfulness of that vndertaking, the late Generall Assemblie having in their Declaration so clearlie demonstrat it to be contrarie to the Word of God, and a manifest breach of the Solemne League and Covenant, in all the heads and articles thereof; and the Lord from heaven having confirmed the testimony of his servants by so sudden and sore a strok vpon your Armie. And albeit the blood of those by whom no such thing was expected,

Paper given in at the Conference to Earles Craford and Glencairne.

which your Lordships have of late shed, be a stronge presumption that yow are not touched with remorse for your former evill way, yet we shall not despair of your Lordships, but that yow will at last hearken to the voice of the Lords servants, and humble your selves vnder the mightie hand of God, by acknowledging that your sinne and departing from that your greivous iniquitie; And therefore, in the next place, that it may appeare that your Lordships doe indeed repent, wee doe obtest yow in his name who is the Prince of Peace, that yow will lay doune armes, and doe no thing that may trouble the peace of this Kingdome or obstruct the settling thereof. And because endeavours to carrie on the Engagement cannot but impd the securing of Religion, and rent the vnion betuixt the Kingdomes, Therefore, in the third place, we doe desire your Lordships not onlie to desist from such endeavours, but to condescend to the desires of the Lords and Gentlemen now in armes for the Covenant, remonstrat vnto your Lordships this day by their Comissioners, these desires being so necessarie for these ends. If your Lordships shall denie yourselves, and repent and doe these things, we are confident that the Lord will pardon yow and be reconceild vnto yow. But if yow shall harden your hearts, as we have exonered our selves before God, so we warne yow in his name that he will avenge vpon yow and your families the quarrell of his Covenant and the blood of his people.'

Report concerning the visitation of Sterling.

This day the Clerk reported that the brethren desired to goe with him to Sterling to keep the dyet of the visitation were not admitted to goe within the towne, but were kepted vp at the vtter guards.

Commission to those that goe to the noblemen and gentlemen in armes in and about Sterline.

The Commission of the Generall Assembly having heard the report of their brethren sent to the Noblemen and Gentlemen in armes in and about Sterling, Doe appoynt their brethren yet to deale with them by exhortatiouns and admonitions according to their former comission, and that by word or wrytting as they shall find convenient, and to intimat vnto them the resolutions of this Comission, if they persist in their wicked courses, to proceed against them and all the active promoters of their course with the dreadfull sentence of excommunication; And for their further information their brethren are also to

give vnto them the late Declaration emitted vpon the 9th day of this moneth; And lykewise their brethren shall represent vnto them the sense of this Comission of their impeding those sent to Sterling from keeping the dyet of the visitation of the Presbytries of Sterling and Dumblane appoynted by the late Generall Assembly.

The Commission appoynts for a conference with these sent from the Comittee of Estates vpon the question concerning seeking helpe from England, and concerning the employment of those that [wer] in the late vnlawfull Engagement, Messrs. Hew Mackaill, Patrik Gillaspie, John M'Clellan, Alexander Dickson, Patrik Colvill, James Ferguson, George Hutchesone, Sir George Maxwell, Glanderstoun, and they are to report the result of their conference.

Committee for conference with some of the Committee of Estates.

The Commission appoynts Mr. Hew Mackaill and Mr. Patrik Gillespie to represent to the Comittee and to the Generall and Leivetenent Generall the great plunderings and other insolencies of sogers, and to desire some course may be taken for punishing and censuring thereof.

Complaint for plundering and other insolences.

The Commission recomends also to the said Comittee appoynted for conference with the Comittee of Estates to consider what course shall be fittest for preventing the employment of any in the Armie or in publik places of trust that are not of knowne integrity and free of all jealousie and exception, and to report their opinions.

Conference concerning employing any accessorie to the Engagement.

*Brounstoun, 19 September 1648, ante meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. John Smyth: Mr. George Leslie: Mr. James Gutterie: Mr. George Hutcheson: Mr. James Nasmyth: Mr. David Elphistoun: Mr. James Hamiltoun: Mr. Robert Young: Mr. David Dickson: Mr. Mungo Law: Mr. John Weir: Mr. William Foullertoun: Mr. James Ferguson: Mr. John Gemell: Mr. John M'Clellan: Mr. Andro Lawder: Mr. Andro Duncason: Mr. Patrik Gillaspie. ELDERS.—Marques Argyle: Lothian: Cassills: Balmerino: Kircubright: Wariestoun: Niddrie: Dundas: Libbertoun: Sir John Cheislle: Mr. Robert Barclay: Robert Browne:

This day the brethren sent to Woodside to speake with these Comissioners sent from the Noblemen, Gentlemen and others in armes at Sterling, reported what they had done in pursuance of the comission wherewith they were againe intrusted, and shew the copie of a paper which they had given

Report of the brethren vpon Conference with the Lords and others in Sterline.



to the Lords and others that were there; as also the double of a letter which they sent to them from the Leager at Woodside, vpon the sight of the letters they sent to the Comittee, and the Lords and others in armes at Lythgow, which the Commission approved; Tenor quherof followes:—

Paper given in  
at the Confer-  
ence.

‘Wee are comanded by the Comission of the Generall Assembly to deliver vnto your Lordships their Declaration of the 9th of this moneth, and withall againe to exhort your Lordships vnto repentance for pressing and pursueing that sinfull Ingagement, and for the blood that yow have lately shed.

‘And the Comission, considering that your Lordships being still in armes is so dangerous to Religion, the vnion of the Kingdoms, and the peace of this Kingdome, by strengthning the Malignant Party, and carieing on their designes against the Covenant and worke of Reformation, Have also comanded ws to exhort and warne your Lordships to lay doune armes, and to desist from the pursuance of your present sinfull course; And if your Lordships shall still refuse to their so just and necessarie counsell and admonition, To signifie vnto yow that they will be necessitat in conscience of their dutie to proceed against your Lordships and all the active promoters of your course with the sentence of excommunication.’

Letter to these  
at Sterline.

‘RIGHT HONOURABLE,—Having seene your Lordships letter vnto those who are here, wee cannot but professe ourselves exceedingly vnsatisfied with your answer, because the altering of the way of procedure tends to the obstructing of one happie and peaceable agreement, towards which your Lordships seemed to ws to incline when we parted with yow vpon the conditions which were offered vnto yow. It has been our endeavour to perswad to peace, and wee know not a more equall and faire way to attaine it than these overtures; And therefore, as wee are sorie that your Lordships have fallen vpon a new way, so we intreat that yow will seriously ponder the sadd consequents of a civill warre, and timeouslie study everie thing that may prevent the same. Wee have faithfullie and freely these days past discharged our dewtie vnto yow, and wishes that as yow wold not have the guilt thereof charged vpon yow in a speciall way, you wold not foment the differences and distractions of this poore Kingdome, but to the vtmost of

your power endeavour a speedy settling thereof in such a way as may consist with the honour of God and good of Religion. And in the meane while we can not but regrave the exorbitant plundering and censing that is vsed by your army, and desires yow in the Lords name to cause restraine the same.

So we remaine,

Your Affectionat Servitours in the Lord,

*Subscribitur,*

MR. ROBERT DOUGLAS,

MR. RO. BLAIR,

*From the Leager near Lithgow this  
18 September 1648.*

MR. JAMES GUTTERIE,

MR. JAMES NASMYTH,

DUNDAS, LIBBERTOUN.'

*Direct—For the Right Honourable The Erles of Craford and Glencairne.*

The question being moved from the Comittee of Estates Whether it be lawfull in case of a necessity to seek from the Parliamat and Kingdome of England assistance of such forces as subscribe the League and Covenant, and are willing to prosecute the Propositions concerning Religion agreed vpon by both Kingdomes, for pursueing the comon enemies of the Cause and Covenant, after serious debate it is resolved by the Comission of the Generall Assembly—Affirmativé.

Question and answer concerning assistance from England.

The Comission thinke that in the case of getting assistance from England, that some qualificatiouns be required of these that shall be so imployed, And for the present that these qualificatiounes be received, (1.) That they mantaine the Doctrine, Discipline, and Government of the Kirk of Scotland. (2.) That they have Ministers to dispense vnto them the ordinances such as are Presbyterians and approven by the Synod of Divines.

Qualifications of such as shall be employed by England for assistance.

The 3 Articles concerning the taking off and employing of persons employed in the late Engagement to be further advysed vpon and debated before the members of the Comittee who are now absent.

The Commission appoynts Messrs. David Dickson, Robert Blair, John Muncreiff, James Gutterie, James Nasmyth, George Leslie, John M'Clellan, Mungo Law, Patrik Gillaspie, Lord Angus, Nidrie, Libbertoun, George Porterfeild, with the

Committe for Considering publik sinnes and dewties.

Moderator, to be a Committee to consider of the publik sinnes of publik instruments, and of their repentance for the same, and what course to take for preventing the like in tyme cūmīng.

The Commission appoynts the same Committee to thinke vpon the grounds of a publik Warning and Informatioun to be emitted.

After some of the Committee of Estates had heard the 3 Articles before mentioned, concerning the employing and trusting of persons in the new modle, the Comission approves the said 3 Articles, and appoynt the same to be presented to the Committee of Estates; Tenor thereof follows:—

The 3 articles  
for taking off  
and employing  
of persones in  
the new modle.

‘Albeit wee have been and still are farr from interesting our selves in the modelling of any Armie by designation of officers, yet takeing to consideration of how great importance it is to Religion and the Cause of God, and to the peace of the Kingdome, that persones rightly qualified be employed, we thought it necessarie to present vnto your Lordships these our humble desires.

‘1. That none of these officers who have taken imployment in the late Ingagement, against so many free and faithfull warnings by the Kirk, be entrusted with any charge in the Army now to be modelled.

‘2. That none be employed in the same who are disaffected and malignant, or openly profane persones, but that care be had to choyse such officers as are of knowne integrity and affection to the cause, against whom there is no just ground of exception or jealousie, and who are of Religious and Christian conversation.

‘3. That for encouraging the hearts and strengthning the hands of God’s people, your Lordships wold thinke vpon a way of mutuall confidence and assurance amongst them who are or shall be engaged in this businesse.’

The next meeting the morne at 7 houres.

*Edinburgh 20 September 1648, mane.*

*Sederunt*:—MINISTERS.—ELDERS.—Mr. Robert Douglas, *Moderator*, Mr. David Dickson, and the rest in the former *Sederunt* except the Noblemen.

The Commission appoynts a letter to be written to the Ministers of Dundie and Perth ; Tenor quherof follows :—

‘ REVEREND AND LOVING BRETHREN,—Yow shall perceive by our Declaration lately emitted, and by the present postur of the well affected in this Kingdome, how necessary it is at this tyme that every on in their severall places and callings concurr in the pursuance of the ends of the Covenant against those who, in prosecution of the late Engagement in warr against the Kingdome of England, doe still with armes presse and oppresse the honest and faithfull people of this land. We doe, therefore, earnestly desire and expect that yow will continue to give proof of your wonted stedfastnes and faithfulness in the cause, by stirring vp the people to all the dewties wherevnto they are obliged by Covenant, by laying open all the sinfull courses of those who are now in armes against the same, and dehorting the people to joyne with them or be ensnared with their specious pretexts, and discharging your selves faithfullie in everie thing according to the exigency of the times. Yow will be pleased to make the best vse of the Declaratione for the informatioun of your people, and communicat this letter to all the brethren of your Province. So comending yow to the Lords speciall grace, Wee remaine,

Letter to the  
Ministers of  
Perth and  
Dundie.

Your loving brethren,

Edinburgh,  
20 September 1648

THE COMISSIONERS  
OF THE GENERAL ASSEMBLY.’

The next meeting at 10 houres.

*Eodem die, ante meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. David Dickson : Mr. Thomas Wassie : Mr. Mungo Law : Mr. James Gutterie : Mr. John M’Clellan : Mr. George Hutcheson : Mr. John Home : Mr. David Calderwood : Mr. James Hamiltoun : Mr. John Smyth : Mr. John Weir : Mr. Andro Duncason : Mr. Andro Lawder : Mr. Robert Young : Mr. George Leslie : Mr. James Nasmyth.—ELDERS.

The Commission appoynts the Moderator, Messrs. Robert Douglas, David Dickson, John Smyth, Mungo Law. and James Gutterie to desire to know of the Committee of Estates vpon what termes the English Army comes to this Kingdome, and to report.

The next meeting afternoon.

*Eodem die, post meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. David Dickson : Mr. James Gutterie : Mr. Mungo Law : Mr. John M'Clellan : Mr. George Leslie : Mr. John Home : Mr. George Hutcheson : Mr. John Smyth : Mr. Robert Blair : Mr. Thomas Wassie : Mr. Patrik Gillaspie : Mr. James Hamiltoun : Mr. Andro Lawder : Mr. Andro Duncasone : Mr. Robert Young : Mr. Robert Birnie : Mr. James Nasmyth. *ELDERS*.—Niddrie : Dundas : Libbertoun : Mr. Alexander Colvill : George Porterfeild.

This day Mr. Robert Douglas having reported that the Committee declared they had not given any call to the English to come in, But on the contrarie, hearing that they wer come in to this countrey, they had resolved to send the Marques of Argyle with some others, with instructions to labour that the whole Armie may not come, but such a partie as give least offense to this Kirk. The double of the instructions, together with the letter and instructions sent before with Grenhead, which being presented wer read by the Commission.

This day the Moderator and Mr. Robert Blair having read a letter they received from Craford and Glencarne, together with the answer they resolve to returne, The Comission approves the answer ; Tenor quherof follows :—

The Answer  
sent by the  
Moderator and  
Mr. Robert  
Blair.

‘RIGHT HONOURABLE,—Wee received yesterday your Lordships letter of the 18 of this instant, the tenor quherof is no lesse strange to ws then the rest of your present evill and sinfull way. Our respects to your Lordships and a desire to prevent blood had such power with ws that we did so farr endeavour your satisfaction with the Noblemen and Gentlemen now in armes for the Covenant vntill they made such reasonable offers vnto yow as your selves seemed not only to be satisfied therewith but to rejoyce therein, and yow may remember that yow did blesse ws as the messengers of peace for falling vpon so happie an Overture as was propounded vnto your Lordships, which makes ws intertaine your Lordships forsaking of the former way with the more admiration and wonder. Yow have to consider what a wofull condition yow have brought your selves into, when yow, who had so great power of bringing these forces first from Ireland, and then againe from England, into this Kingdome, cannot now perswad them to reced from on of these articles, which at the best reach but to privat interests,

and we wold have yow to look vpon this as a fruite of your sinfull ingaging with them. But what ever be your power in your Armie, sure we are that it is in your power to leave such fellowship, and to abandon their wicked way. Wee have seen the papers of the officers and souldiers to which yee referr ws, and we can discerne no thing therein but a pertinacious adhering not only to their oune interests, but also to yours, which being joyned with your staying amongst them and acting with them, still gives vnto ws just ground to looke vpon your Lordships as fomenters of the differences and distractions of this Kingdome, and abattors of all the evils wherewith the land is now afflicted. Wee are sorrie yow should take Gods name in vaine as having performed your dewtie in his sight. The Lord is the Searcher of hearts, and will not be mocked with great words and faire professions, but will certanely reckon even with your Lordships for these vnhappy consequences, and for all the blood and lives whereof yow seeme your selves to be innocent, if yow doe not repent and change your way. Our practises are sufficient evidences of our intentions to peace, and wer so convincing whilst we were with yow that your selves did acknowledge and bear testimony to the same. And what ever be the intentions or practises of your Lordships and of these who are with yow, yet we know that the peace of Scotland is in the Lords hand, who we hope shall speake peace to his people, and lead those forth with the workers of iniquitie who turne aside to crooked wayes. So we rest Your servants in the Lord,

Edinburgh, 20 September  
1648.

*Subscribitur,* MR. ROT. DOUGLAS,  
MR. ROT. BLAIR.'

‘Wee expected some better fruite of that just warning which we gave in to yow concerning exorbitant plundering and censing vsed by your Army then to have charged it back vpon those who are here, whose care and endeavour to prevent and restraine these things has been verie great and effectuell, and they are so farr from vsing your prisoners cruellie that most of them are out vpon their parole.’

The Commissioners of the Generall Assembly considering that after the Army vnder the conduct of Duke Hamilton had invaded the Kingdome of England, contrary to the League and

Warning and  
Intimation to  
the Ecles of

Crafurd, Glen-  
carne, and  
Lanerk, Lord  
Sinclare, Durie,  
and George  
Monro.

Covenant, and many faithfull warnings of the servants of God, and that the Lord had declared his wrath from heaven against that vnlawfull Engagement by the sudden and shamefull defeat of that Army, yet John, Earle of Crafurd, William, Earle of Glencarne, William, Earle of Lanerk, John, Lord Sinclair, Sir Alexander Gibson of Durie, Clerk Register, and George Munro, Collonell, now designed Generall Major, notwithstanding that they doe professe that they have no purpose any further to pursue that vnlawfull Engagement, have combined themselves together and shed the blood of many in this nation ; And notwithstanding of the faithfull exhortations and free warnings of severall of the Ministry intrusted by ws to deal with them for bringing them to repentance or perswading them to desist from their sinfull and wicked course ; And notwithstanding also the reasonable offers made vnto them by those now in armes for the Covenant, of disbanding all Armies, and submitting all matters concerning Religion vnto the Generall Assembly or their Comissioners, and civill differences vnto a lawfull and free Parliament, Doe yet, in pursuance of their own base ends and privat interests, continew still in armes, killing, plundering, and spoiling the Lords people, censing and wasting the countrey in a strenge way, and forcing many against their consciences to joyne with them, and stirring vp all the old enemies of the Lords cause in this land againe to take armes for acting their former mischeife and crueltie, and pressing vnjust conditions which doe inferr a nationall quarrell, and cannot be condiscended to without breach of Covenant and sining against God and a good conscience: Therefore as the Comissioners did formerly by some of their number, so they doe now againe warne the persons abonenamed, that if they shall not speedily and without delay make their repentance to appear, by laying doune of armes and desisting from their wicked course, that they will, because of the atrocity of these crimes and of their obstinat continuing therein, proceed against them and all the active promoters of their way vnto the dreadfull sentence of excommunicatioun. And this intimatioun and warning shall be read out of the pulpits of the Kirks of Edinburgh, Leith, and Cannogate the nixt Lords day, the 24th of this instant.

The Commission of the Generall Assembly considering that

the Moderator and Mr. Robert Blair are to goe to speake with the Earles of Craford and Glencarne vpon their earnest desire, Therefore, if they shall receive satisfaction by conference from these tuo Lords, Doe hereby appoynt the names of these tuo to be delet out of the warning to be read vpon the nixt Sabbath, and that the remanent persons therein named shall be only warned.

Order for deleting Craford and Glencarne out of the Warning.

The nixt meeting the morne before noon.

*Edinburgh, 21 September 1648, ante meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. David Dickson : Mr. John Smith : Mr. Andro Duncason : Mr. George Hutcheson : Mr. James Gutterie : Mr. Andro Donaldson : Mr. Robert Blair : Mr. James Hamiltoun : Mr. George Leslie : Mr. Thomas Wassie : Mr. John M'Clellan : Mr. Patrik Gillaspie : Mr. John Home. *ELDERS*.—Lord Angus : Mr. Alexander Colvill : Dudistoun : Sir James Stewart.

This day George Forbes, Lievtennent Collonell, appearing, permitted to repair home, he promising to carie himself honestly and orderlie, and to be readie to submitt him self to censure according to generall order that shall be prescribed for those that serve in the late sinfull Engagement in England, and the said Lievtennent Collonell enacted himself herevnto.

Lievtennent  
Colonell  
Forbesse.

The Commission recomends to Presbyteries to take speciall tryall of young expectants or deposed ministers that went out and served in the late Engagement, and [send] a list of their names to this Comission.

The nixt meeting at 4 afternoon, and the Comittee at tua houres.

*Eodem die, post meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Robert Blair : Mr. Mungo Law : Mr. Hew Kennedy : Mr. James Hamiltoun : Mr. Robert Young : Mr. George Leslie : Mr. John Smyth : Mr. James Nasmyth : Mr. David Dickson : Mr. John Muncreiff : Mr. John Weir : Mr. Patrik Gillaspie : Mr. Thomas Wassie : Mr. John Home : Mr. George Hutchesone : Mr. James Gutterie : Mr. Robert Lawrie. *ELDERS*.—Lord Angus : Niddrie : Mr. Alexander Colvill : Lawrence Henderson.

The Comission appoynts a letter to Seafort and Ogilvie to be drawn vp by Mr. John Smyth, As also desires him to draw an answer to Mr. George Gillaspies letter.

The Comittee named vpon the 19 of September appoynted



to meet with a Sub-Committee of the Committee of Estates for classing persons that have had accession to the Engagement, and to report their opinions.

The said Committee to meet now, and the Commission the morne at 10 houres.

*Edinburgh, 22 September 1648.*

*Sederunt* :—**MINISTERS**.—Mr. David Dickson : Mr. James Hamiltoun : Mr. George Leslie : Mr. Thomas Wassie : Mr. John Smith : Mr. Robert Young : Mr. John Home : Mr. John Muncreff : Mr. Robert Lawrie : Mr. John McClellan : Mr. George Hutcheson : Mr. Hew Kennedy : Mr. James Gutterie : Mr. Mungo Law : Mr. Patrik Gillaspie. **ELDERS**.—Lord Angus : Lord Advocat : Lord Craighall : Niddrie : Mr. Alexander Colvill : Lawrence Henderson : Robert Browne : James Hamiltoun.

This day the Comission electit Mr. David Dickson Moderator in absence of Mr. Robert Douglas.

The Comission approves the letter to Seafort and Ogilvie ; Tenor quherof followes :—

Letter to the  
Earle of Seafort  
and Lord  
Ogilvie.

‘**RIGHT HONOURABLE**,—The free and faithfull testimonies that have been given against the late sinful Ingagement and invasione of the Kingdome of England, not only from the many warnings of all the faithfull Ministers of the Gospel in their severall stations, but from the judicatories of the Kirk, Presbyteries, Synods, Comission of the Generall Assembly 1647, the late Generall Assembly, and ws, their Comissioners, by Supplications, Declarations, Desires, Representatiouns, Remonstrances, Vindication, and other papers, cannot be vnknowne to any that is not a stranger in Israel ; And that the Lord of Hostes hath seconded from heaven the testimony of his servants by the totall defeate of them that walked on continuallie in that their sinne, hath before this time no doubt filled all the corners of this Iland. Yet there is a generation who will not see the lifted vp hand of the Lord, but they shall see and be ashamed for their envy at the people of God. What is the present posture of affaires your Lordships may perceive by the papers herewith sent. In reference thereto wee thought it incumbent vnto ws out of the conscience of the trust comitted to ws, and our tender care to preserve your Lordships from being caried away into the error of the wicked, to give yow timeous

warning that yow concurr not in counsell nor joyne in forces with these who, by their violent prosecuteing of the late vnlawfull Ingagement, and by their present pernicious persisting, for their privat interests, in their perverse wayes, have what in them lyes endeavoured the rent of these Kingdoms vnited in Covenant, the rent and ruine of this Kingdome, and the subversion of the true Reformed Religion therein established. Your Lordships may remember that if yow had hearkened vnto the counsell of these who were in the same trust then that we are for the time, yow might escaped the dreadfull blow of that spirituall weapon weelded against yow, which we doe now mention only by way of cawtion that your Lordships do not twise stumble at the same stone. It is greivous to ws to cut off any even though they trouble ws. Yet we could neither be ansrable to the most High God, before whom we stand, nor to the Generall Assemblie of this Kirk, vnto whom we are accomptable for the discharge of our trust, if we doe not make vse of the power committed to ws against those that hearken not vnto the wholesome counsellis of God. Wee are confident, if your Lordships have made the sanctified vse of what hath happened vnto yow heretofore, that yow will not suffer your self to be taken a second time in an evill snare. And your Lordships may be confident that we resolve by the good hand of the Lord vpon ws, to follow the lawdable precedents of the faithfull servants of Christ that have gone before ws, in weelding the weapons of our warrefare without the fear of God<sup>1</sup> against all that despyse the admonition of the Lord and are obstinat in an evill way. But we shall hope better things of your Lordships, and do pray the Lord to give yow vnderstanding in all things, that in this time of triall yow may be knowne to be approven, which shall be no greife of heart to yow in the day of reckoning, and shall be the joy of our hearts, who are

Your Lordships affectionat servants in the Lord Christ,

Edinburgh,  
22 September 1648.

THE COMISSIONERS  
OF THE GENERALL ASSEMBLY.<sup>1</sup>

The Comission appoynts the Comittee named vpon the 19 of September to meet and consider what is fitting to be done

<sup>1</sup> *Sic* in ms., possibly for without the fear of *man*.

for acknowledging the publik sinnes of instruments and of an Engagement against the lyke sinne in tyme cuming, according to the desire of the Comittee of Estates this day presented in wrytting by the Lord Wariestoun, and to make vse of the draught read and given in by the Lord Wariestoun.

The nixt meeting at 2 afternoon.

*Eodem die, post meridiem.*

*Sederunt* :—MINISTERS.—Mr. David Dickson, *Moderator*. Mr. Thomas Wassie : Mr. John Muncreiff : Mr. James Gutterie : Mr. Patrik Gillaspie : Mr. Heugh Kennedy : Mr. John Home : Mr. John Smith : Mr. George Leslie : Mr. James Hamiltoun : Mr. George Hutcheson : Mr. Andro Donaldson : Mr. Mungo Law : Mr. John M'Clellan : Mr. Robert Young. ELDERS.—Lord Angus : Nidrie : Libbertoun : Mr. Alexander Colvill : Mr. James Campbell : Robert Browne : James Hamiltoun : Lawrence Henderson.

The Comission ordaines the Answer to the Comittees Observations vpon the Assemblies Declaration to be printed, and that the Clerk forthwith doe the same and send it to Presbyteries.

The nixt meeting the morne.

*Edinburgh, 23 September 1648.*

*Sederunt* :—MINISTERS.—Mr. David Dickson, *Moderator*. Mr. George Lesly : Mr. Mungo Low : Mr. James Hamiltoun : Mr. Thomas Wassie : Mr. John Home : Mr. Hew Peebles : Mr. John Smyth : Mr. James Gutterie : Mr. George Hutcheson : Mr. John Muncreiff : Mr. Robert Young : Mr. Alexander Dunlope : Mr. David Auchterlony : Mr. Andro Donaldson. ELDERS.—Lord Balmerino : Craighall : Niddrie : Libbertoun : Mr. Alexander Colvill : James Hamiltoun : Mr. James Campbell.

This day the answer to Mr. George Gillaspies letter to the Comission read and approven ; Tenor quherof follows :—

Answer to  
Mr. George  
Gillaspie.

‘REVEREND AND DEAR BROTHER,—As your presence with ws and with those that have beene intrusted before ws hath been verie comfortable and profitable by your faithfull counsell and your learned and laborious paines, in discovering the depths of deceit of adversaries, in removeing difficulties, and manie wayes of promoveing the work of God, so it is no small matter of greife vnto ws that we are deprived thereof at this extreme and vnexpected exigence, quherin yow might have been exceedingly helpfull by your advise and assistance if yow had been with ws

upon the place, to be acquainted with all the particulars which have hitherto occurred in the whole businesse. Yet we perceive by yours (which we have perused and appointed to be registrat in our Records) that neither your absence nor weaknes of bodie doe diminish anie thing from your care of the publik affaires of the Kirk, and of ws who are intrusted therein, that these may receive no detriment, and we in managing may not be accessorie to the marring thereof. Your advertisement and advise is verie acceptable to ws, and deserveth the more to be pondered that it proceedeth from one who liveth in expectation to lay doune his tabernacle ere long; And we shall endeavour, by the grace of Him who is able to perfect his power in weaknes, alwayes to have a conscience voide of offence toward God and toward men, and to keepe our hands free of anie sinfull compliance with these that have been and are the troublers of Israel.

‘Yow have endeavoured to be found faithfull in your generation, and have been laying out your talents received from a liberall hand, and now yow are waiteing for your Masters welcome, “Well done, good and faithfull servant, enter thow into the joy of thy Lord.” Yow have laboured much, yet not yow, but the grace of God with yow; hencefurth yow looke for a rest from your labours with the spirits of just men made perfect. In the meane time it may be your refreshment vnder weaknes that yow know in what employments and in whose service your spirits have been spent and your strength wasted, that yow may glorie in the Lord and in the power of his might. Wee know, deare brother, that to depart and to be with Christ were farr better for yow, But, considering the times, and your abilities fitted for them by the finger of God, we doe professe that to abide in the flesh is more needfull for ws, and for that effect our desires shall goe vp before the Lord so long as there remaines anie hope.

‘That we have not given yow a speedier returne wee are confident will be by your candor interpreted to proceed, not from any disrespect or neglect, but from the present bussines, which hath multiplied with ws varietie of other employments, and for the most part of the time with held ws from this place and occasioned our attendance other where. Wee shall be glad to

hear from yow, as your weaknes may permitt, vpon all occasions. That your life may be continued for our furtherance in the work of the Lord, and that after a longer date of days yow may finish your course with joy, and receive an inheritance among all them that are sanctified, shall be the prayer of

Your loveing brethren,

*Edinburgh,* THE COMISSIONERS  
23 September 1648. OF THE GENERALL ASSEMBLY.

Direct: *To their Reverend brother, Mr. George Gillaspie, Minister at Edinburgh.*

The brethren thinke fitt to dissolve now and meet at 8 houres in the evening, at Mr. Robert Douglas his house, to hear what their brethren report from George Monro and others in armes at Sterling.

The Commission having heard yesterday that their brethren, Mr. Robert Douglas and Mr. Robert Blair, did report that after conference with Craford and Glencarne they purpose to come off and leive the course they are now on, and would cum to Edinburgh if they can get a safe guard, Therefore they thinke fitt to advise further at 8 houres this evening, whither to intimat the warning for their excommunication the morne or not.

*Eodem die, hora 8a vespertina.*

The brethren present thinke fitt to continue the intimatioun of the warning of excommunicatioun of the Lords and others the morne, in respect that they professe a resolution to leave their present course, and will send their desires in writt to the Committee of Estates.

The nixt meeting the morne afternoon.

*Edinburgh, 24 September 1648, post meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. John Muncreiff: Mr. Thomas Wassie: Mr. James Gutterie: Mr. Andro Donaldson: Mr. Mungo Law: Mr. Robert Young: Mr. John Smith: Mr. David Dickson: Mr. James Hamiltoun: Mr. Robert Lawrie: Mr. Patrik Colvill: Mr. Robert Blair: Mr. John M'Clellan: Mr. John Home: Mr. David Achterlonie. ELDERS.—Lord Angus: Niddrie: Sir James Hacket: Libbertoun: Inglishtoun: Mr. Alexander Colvill: Sir James Stewart: Lawrence Henderson: Mr. James Campbell: Mr. Robert Barclay: Sir John Cheislle.

The Commission of the Generall Assembly doe hereby authorize Mr. Robert Douglas, Moderator, Mr. Robert Blair, Mr. Mungo Law, Mr. James Gutterie, the Lairds of Dundas and Libbertoun, to goe to Kirkliston to meet there with the Noblemen and Gentlemen sent from these in armes in and about Sterling, to deale yet some more with them by serious exhortations and admonitions to lay doune armes and to leave that evill course they are vpon, and if they give not reall satisfaction, to intimat to them that they are to proceed presently against six of their number, which have been prymely instrumentall in their wicked courses, with excommunication, and that they have resolved to cause read a publik warning against them out of the pulpitts of Edinburgh, Leith, and Cannogate, and they are to report what satisfaction they find tomorrow at foure of the clock in the afternoon.

Commission for  
some brethren  
to the noblemen  
and others in  
armes at  
Sterline.

The nixt meeting the morne at four afternoon.

*Edinburgh, 26 September 1648, ante meridiem.*

*Sederunt*.—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. John Muncreiff : Mr. John Weir : Mr. John M'Clellan : Mr. John Home : Mr. George Hutcheson : Mr. James Gutterie : Mr. Thomas Wassie : Mr. David Auchterlony : Mr. Patrik Gillaspie : Mr. David Dicksone : Mr. James Hamiltoun : Mr. John Smith : Mr. Robert Ker : Mr. George Leslie : Mr. Patrik Colvill : Mr. Andro Donaldson : Mr. Hew Peebles : Mr. William Oliphant : Mr. Robert Young : Mr. Alexander Dunlope. *ELDERS*.—Libbertoun : Dudistoun : Mr. Alexander Colvill : Lawrence Henderson : Robert Broune.

The Commission having heard the report of their brethren of their conference with the Earles of Crafurd, Glencarne, and others, and the little effect thereof, thinke fitt to delay vntill the afternoon to consider what to doe in the bussines.

The Commission of the Generall Assembly vnderstanding that the deposed ministers and expectants and others pretending to the ministry afternamed, notwithstanding of the frequent publik declaratiouns of the Generall Assembly and their Commissioners concerning the vnlawfulnes of the late Ingagement in warre against the Kingdome of England, have yet served in the said Engagement, and performe dewties of the ministeriall charge to the forces that went to England and now in armes in this Kingdome in prosecution of the said

Warning of  
some deposed  
ministers and  
expectants to  
appear before  
the Commission

vnlawfull Engagement, Therefore, in respect of the vncertantie of their ordinary residences, and that some of them cannot be personallie sumonded, being with the forces vnder the comand of Earle of Lanerk and George Monroe, They doe appoint that Mr. William Cherilaw, Mr. Robert Schidow, Mr. William Watstone, brother to Mr. James Watstone of Saughtonhall, Mr. William Purdie, Mr. Robert Beatoun, brother to the Laird of Westhall, Mr. John Cruikshank, Mr. Thomas Panther, Mr. Henry Erskene, Mr. Andro Keir, and Mr. John Halyburtoun, be warned out of the pulpitts of Edinburgh, Leith, and Cannogate, to appear before this Comission at Edinburgh, the 10 day of October nixt, to answer for their said offenses; And appoints Mr. Francis Cockburne, who is in towne, to be sumonded presently to the said day to answer for the same offence.

Note for proceedour against some persones.

The Commission of Assembly, vnderstanding that Messrs. John Broune, Robert Broune, Patrik Forbes, Zacharie Wilkie, Patrik Mortimer, William Herving, Robert Merse, who went to England with the Armie in that Engagement in Warre against that Kingdome, to doe service in the ministerie to that Armie, are not yet returned, nor any certanty what is become of them, Therefore appoynts their names to be marked, that vpon their returne, or as information shall be concerning their condition, the Commission may accordingly proceed with them.

*Edinburgh, 27 September 1648, ante meridiem.*

• *Sederunt*:—**MINISTERS**.—Mr. Robert Douglas, *Moderator*. Mr. John Muncreiff: Mr. John Weir: Mr. John M'Clellan: Mr. Francis Aird: Mr. Patrik Gillaspie: Mr. Robert Young: Mr. Alexander Dunlope: Mr. John Home: Mr. William Oliphant: Mr. Robert Blair: Mr. James Hamiltoun: Mr. John Smith: Mr. Robert Ker: Mr. James Gutterie: Mr. John Knox: Mr. Patrik Colvill: Mr. Hew Peebles: Mr. David Achterlony: Mr. George Leslie. **ELDERS**.—Mr. Alexander Colvill.

The Commission thinks fitt the intimatioun of the warning to the Noblemen and Gentlemen at Sterling in relation to excommunicatioun to be delayed whill it be further thought vpon.

*Edinburgh, 27 September 1648, post meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Robert Blair : Mr. John Smith : Mr. Mungo Law : Mr. Robert Ker : Mr. Patrik Colvill : Mr. Alexander Dunlope : Mr. George Leslie : Mr. Francis Aird : Mr. William Oliphant : Mr. David Dickson : Mr. John Muncreiff : Mr. James Hamiltoun : Mr. John Knox : Mr. Robert Young : Mr. James Gutterie : Mr. John Weir : Mr. John McClellan : Mr. John Home : Mr. Hew Peebles. ELDERS.—Lord Angus : Laird Pollock : Lawrence Henderson.

The Comission appoynts the Comittee formerly appoynted to consider of a letter to the Synode of Divines, Parliament, and the King, and to report their opinions.

The nixt meeting the morne at 7 houres in the morning.

*Edinburgh, 28 September 1648.*

The brethren thinke fitt to dissolve vntill the afternoone.

*Eodem die, post meridiem.*

The brethren thinke fitt to dissolve and meet againe the morne at 10 houres.

The Comission thinke fitt that there be letters written to Presbyteries in Lothiane and Fyffe, to send such of their number as are of that Comission to be here on Wednesday nixt, appoynted to be a frequent meeting.

*Edinburgh, penultimo Septembris.*

The brethren appoynts the nixt meeting the morne at 2 houres.

*Edinburgh, vltimo Septembris 1648, post meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. John Smyth : Mr. Mungo Law : Mr. John Weir : Mr. James Gutterie : Mr. Robert Lawrie : Mr. David Dickson : Mr. John Muncreiff : Mr. George Lesly : Mr. James Hamiltoun : Mr. James Nasmyth : Mr. David Achterlony : Mr. John Young. ELDERS.—Mr. Alexander Colvill.

Mr. Thomas Cranston warned *apud acta* to appeir vpon Mr. Thomas Cranston.  
Tuesdai cum 8 dayes.

This day Mr. John Smith vndertooke for Mr. Symeon Knox Mr. Simeon Knox.  
his compeirance.



This day a peaper being read concerning an oath for purging the judicatories, the Comission thinke fitt to conferre with some of the Comittee of Estates vpon it, and appoynts Messrs. David Dickson, James Gutterie, James Nasmyth, with the Moderator, to meet for that purpose.

The next meeting on Monday afternoon.

*Edinburgh, 2 October 1648, post meridiem.*

The brethren present continues the meeting vntill the morne afternoon.

*Edinburgh, 3 October 1648, post meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. James Hamiltoun : Mr. John Weir : Mr. David Dickson : Mr. Mungo Law : Mr. David Auchterlony : Mr. James Gutterie : Mr. James Nasmyth : Mr. Robert Lawrie : Mr. George Leslie. ELDERS.—

Mr. Gavin  
Forsyth.

The Moderator declared that Mr. Gavin Forsyth wes at him, and promised to appear at the 10th of October, and therefore he caused delet his name out of the publik warning.

The next meeting the morne at 3 afternoon.

*Edinburgh, 4 October 1648, post meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Walter Greg : Mr. James Nasmyth : Mr. Patrik Fleeming : Mr. Robert Young : Mr. John Sinclair : Mr. Patrik Gillaspie : Mr. David Dickson : Mr. James Gutterie : Mr. Alexander Dickson : Mr. John Makgill : Mr. Robert Traill : Mr. David Auchterlony : Mr. John Knox : Mr. Andro Donaldsone. ELDERS.—Dundas : Libbertoun : Inglistoun : Mr. Alexander Colvill.

Committee.

The Commission appoynts Messrs. David Dickson, Robert Blair, John Smith, Mungo Law, Walter Greg, George Lesly, Robert Traill, James Gutterie, James Nasmyth, Patrik Gillaspie, Dundas, Libbertoun, Inglistoun, Mr. Alexander Colvill, Mr. Robert Burnet, with the Moderator, to be a Comittee to consider what is to be done for a publik acknowledgment of the sines of the land, and an engagement to abstaine from the lyke in tyme cuming, as also for renewing the Covenant, what course to take for giving the Comunion which the late Assembly thought fitt to delay, and what censure to appoint

for these that have had accession to the late Engagement in Warre with England, and to report; The Comittee to meet presently after dissolving.

The next meeting the morne after sermon.

*Edinburgh, 5 October 1648, ante meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, Moderator: Mr. Robert Blair: Mr. Walter Greg: Mr. Robert Traill: Mr. William Oliphant: Mr. Patrik Gillaspie: Mr. David Dickson: Mr. James Hamiltoun: Mr. George Lealy: Mr. David Auchterlony: Mr. James Gutterie: Mr. James Nasmyth: Mr. John Makgill: Mr. Ephram Melvill: Mr. John Sinclair: Mr. Alexander Dickson: Mr. Robert Lawrie: Mr. Mungo Law: Mr. Heugh Kennedy: Mr. Patrik Fleeming. ELDERS.—Lord Torphichen: Dundas: Mr. Alexander Colvill: George Porterfeild.

The next meeting at 3 afternoon, the Comittee at 2 houres.

*Eodem die, post meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, Moderator: Mr. Robert Blair: Mr. James Hamiltoun: Mr. Mungo Law: Mr. Patrik Gillaspie: Mr. Patrik Fleeming: Mr. Hew Kennedy: Mr. John Sinclair: Mr. Ephram Melvill: Mr. David Auchterlony: Mr. John Knox: Mr. Robert Lawrie: Mr. David Dickson: Mr. Walter Greg: Mr. John Smith: Mr. James Gutterie: Mr. James Nasmyth: Mr. Alecander Dickson: Mr. William Oliphant: Mr. George Lealy: Mr. John Makgill: Mr. Andro Donaldson: Mr. Robert Traill: Mr. Patrik Colvill. ELDERS.—Dundas: Mr. Alexander Colvill: George Porterfeild: Mr. Robert Burnet.

Mr. Thomas Makgill appeired this day personallie, and promised to appeir vpon Twesday to answer for any thing to be layed to his charge in relation to the warre in England.

Mr. Thomas  
M'Gill.

This day the Lord Marques of Argyle, Lord Advocat, and George Porterfeild come from the Comittee of Estates, and shew a letter from Leivtenant Generall Cromwell to the Comittee of Estates, desiring that course may be taken for punishing and suppressing Malignants and such as hes aymed for a breach of the Vnion betuixt the Nations, and that they be not admitted to places of publik trust and publik counsellis.

Letter from  
Cromwell to the  
Committee of  
Estates com-  
municated.

The paper touching the generall Acknowledgment of publik sines and Engagement for better cariage hereafter being this day read and considered, the Comission doth approve the matter of the paper, and thinks fitt that the Covenant be renewed, and appoynts the Comittee formerly appoynted to consider what vse shall be made of the said paper and the overture of the renewing of the Covenant, and to report.

Publik acknow-  
ledgment.

The Committees  
Declaratioun  
communicat.

This day Sir John Cheisly sent from the Committee of Estates with their Declaration, which being read, the Comission blissed God for their care and zeale, and thanked them for their correspondence.

The Committee to meet the morne at 8 houres, and the Comission afternoon.

*Edinburgh, 6 October 1648, post meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, Moderator : Mr. Robert Blair : Mr. Patrik Colvill : Mr. James Ferguson : Mr. Ephram Melvill : Mr. Hew Kennedy : Mr. John M'Gill : Mr. James Gutterie : Mr. David Auchterlony : Mr. John Smyth : Mr. David Dickson : Mr. Walter Greg : Mr. James Nasmyth : Mr. Patrik Gillaspie : Mr. John Knox : Mr. James Hamiltoun : Mr. John Sinclair : Mr. Mungo Law : Mr. Robert Lawrie : Mr. Robert Traill. ELDERS.—Lord Angus : Lord Torphichen : Lord Waristoun : Mr Alexander Colvill : Mr. Robert Burnet.

Act for renew-  
ing the Solemn  
League and  
Covenant.

This Act is  
afterward ex-  
plained vpon  
the 5 of Decem-  
ber 1648.

'The Commission of the Generall Assembly, considering that a great part of this land have involved themselves in many and grosse breaches of the Solemne League and Covenant, and that the hands of many are grown slack in following and pursuing the duties contained therein, and that many who, not being come to sufficient age when it was first sworn and subscribed, have not hithertills been received into the same, Doe vpon these and other grave and important considerations appoint and ordain the Solemne League and Covenant to be renewed throughout all the congregations of this Kingdome; And because it is a duty of great weight and consequence, Ministers after the sight hereof would be carefull to take paines in their doctrine and otherwise, that their people may be made sensible of these things wherein they have broken the Covenant, and be prepared for the renewing thereof with sutable affections and dispositions. And that these things may be the better performed, we have thought it necessarie to condescend vpon a solempne Acknowledgment of publik sines and breaches of the Covenant, and a solenme Engagement to all the duties contained therein, namely, those which doe in a more speciall way relate vnto the dangers of these times; And this solenme Acknowledgment and Engagement sent herewith shall be made vse of, and the League and Covenant shall be renewed in such maner as followes: First, There shall be

intimation of a solemne publik humiliation and fast the second Sabbath of December, to be kept vpon the next Thursday and Lords day thereafter, at which intimation the League and Covenant, and the publik Acknowledgment of sinnes and Engagement vnto duties, are to be publicly read by the Minister in the audience of all the people; and they are to be exhorted to get copies thereof that they may be made acquainted therewith; And the Humiliation and Fast is to be kept the next Thursday thereafter in reference to the breaches of the Covenant contained in the solemne publik Acknowledgment as the causes thereof; And the next Lords day thereafter, which is also to be spent in publik humiliation and fasting, immediatly after the sermon, what is to be applyed to the bussinesse of that day, the publik Acknowledgment and Engagement is againe to be publicly read, and thereafter prayer is to be maid containing the confession of the breaches mentioned therein, and begging mercy for these sines, and strength of God for renewing the Covenant in sincerity and truth; And<sup>1</sup> which prayer, the Solemne League and Covenant is to be read by the Minister, and then to be sworne by him and all the people who are to ingage themselves for performance of all the duties contained therein, namely, those which are mentioned in the publik Acknowledgment and Engagement, and are opposit vnto the sines therein confessed. And the action is to be closed with prayer to God that his people may be enabled in the power of his strength to doe their duty according to their oath now renewed in so solemne a way. It is also hereby provided that all those who renew the League and Covenant shall againe subscribe the same, and that none be admitted to the renewing and subscribing thereof who are excluded by the other Act and direction sent herewith.

‘The Commissioners of the Generall Assembly having found it necessarie that the Solemne League and Covenant be renewed after so great<sup>2</sup> evident breaches thereof by many in this Kingdom; And considering how manifestly the cause of God hath been endangered heretofore by too sudden receiving into the Covenant those who have been in actual opposition

Act concerning the debarring of persons accessorie to the late vnlawfull Engagement in war from renewing the Covenant, receiving

<sup>1</sup> *After* in contemporary print.

<sup>2</sup> *And* inserted in print.

the Communion, and from exercise of ecclesiastick office, with an advice to Presbyteries for celebration of the Communion.

therevnto, before sufficient tryall and evidence had of their repentance, Doe therefore appoynt and ordain, that all Presbyteries and Ministers within this Church in their severall bounds and respective charges take speciall care at the time of renewing the League and Covenant, that none who have had charge in the Army which, vnder the conduct of Duk Hamilton, engaged in war against the Kingdome of England, or with the forces that were in and about Stirling vnder the command of the Earl Lanerk and George Monro, or have taken and subscribed any Oathes, Bands, or Declarations for carrying on these sinfull courses, or any other Oath or Band condemned by the Generall Assembly as destructive to the Covenant, or have been forcers, vrgers or seducers of others to joyne in the said Engagements and services so destructive to Religion, or have been active promoters thereof, be admitted to subscribe or renew the oath of the League and Covenant, or to exercise anie office or power in any of the judicatories of this Kirk.

‘And further, considering that it is referred to ws from the late Generall Assembly to give advertisement to the Presbyteries of a fitt opportunity of celebrating the Sacrament of the Lords Supper, and to send such advice as we should find necessarie for the time; Wee have thought fitt to advertise Presbyteries that the Sacrament of the Lords Supper may be celebrated after the renewing of the Covenant as Ministers have conveniency in their severall congregations; and that we have found it necessary that all who are involved in the afore mentioned guiltinesse be suspended from the Sacrament of the Lords Supper vntill the Generall Assembly shall take such course as they thinke fitt concerning the receiving of them vnto the Covenant and Communion.’

*‘A Solemn Acknowledgement of publick sins and Breaches of the Covenant, and a solemn Engagment to all the Duties contained therein, namely, those which do in a more speciall way relate unto the dangers of these times.’*

‘Wee, Noblemen, Barons, Gentlemen, Burgesses, Ministers of the Gospel, and Comons of all sorts within this Kingdom, by the

<sup>1</sup> ‘A Solemn Acknowledgment of Public Sins and Breaches of the Covenant, and a Solemn Engagement to all the Duties contained therein, namely, those which do in a more special way relate unto the Dangers of these times, with two

The Solemn Acknowledgment of Publik sinnes and a solemn Engagment to publik dewties.

good hand of God vpon ws, taking in serious consideration the many sad afflictions and deepe distresses wherewith we have been exercised for a long time past, and that the land after it hath been sore wasted with the sword and the pestilence, and threatned with famine, and that shame and contempt have been poured out from the Lord against many thousands of our nation who did in a sinfull way make war vpon the Kingdome of England, contrary to the testimony of his servants and desires of his people, and that the remnants of that Army returning to this land have spoiled and oppressed many of our brethren, and that the Malignant Party is still numerous, and retaining their former principles wait for an opportunity to raise a new and dangerous war, not only vnto the rending of the bowels of this Kingdome, but vnto the dividing ws from England, and overturning of the worke of God in all the three Kingdoms: And considering also that a cloud of calamities doth still hang over our heads and threaten ws with sad things to come, we cannot but look vpon these things as from the Lord, who is righteous in all his wayes, feeding ws with the bread of teares, and making ws to drinke the waters of affliction, vntill we be taught to know how evill and bitter a thing it is to depart away from him by breaking the oath and Covenant which we have made with him, and that we may be humbled before him by confessing our sinne and forsaking the evil of our way.

‘Therefore, being pressed by so great necessities and straits, and warranted by the Word of God, and having the example of Gods people of old, who in the time of their troubles, and when they were to seek deliverie and a right way for themselves, that the Lord might be with them to prosper them, did humble themselves before him, and make a free and particular confession of the sines of their Princes, their Rulers, their Captains, their Priests, and their People, and did ingage themselves to do no more so, but to reforme their ways and be stedfast in his Covenant; And remembering the practise of our prediccissors in the year 1596, wherein the Generall Assembly, and all the Kirk judicatories, with the

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Acts of the Commission of the General Assembly of the sixth October for renewing the Solemn League and Covenant, and for debarring of persons accessory to the late unlawful Engagement from renewing the Covenant, receiving the Communion, and from exercise of Ecclesiastical office, with their advice to Presbyteries for celebrating the Communion, together also with an Act of the Committee of Estates of 14th October for renewing the League and Covenant.’ Edinburgh: Printed by Evan Tyler, Printer to the Kings most excellent Majesty. 1648.

concurrence of many of the Nobilitie, Gentry, and Burgesses, did with many tears acknowledge before God the breach of the Nationall Covenant, and ingaged themselves to a Reformation, even as our predecessours and theirs had before done in the Generall Assembly and Convention of Estates in the year 1567; And perceiving that this duty, when gone about out of conscience and sinceritie, hath alwayes been attended with a reviving out of troubles, and with a blessing and successe from heaven, Wee doe humbly and sincerely, as in his sight, who is the searcher of hearts, acknowledge the many sins and great transgressions of the land: Wee have done wickedly, our Kings, our Princes, our Nobles, our Judges, our Officers, our Teachers, and our People. Albeit the Lord hath long and clearly spoken vnto ws, we have not hearkened to his voice; Albeit he hath followed ws with tender mercies, we have not been allured to wait vpon him and walk in his way; And though he has stricken ws, yet we have not grieved: Nay, though he hath consumed ws, we have refused to receive correction; Wee have not remembred to render vnto the Lord according to his goodnesse and according to our own vows and promises, but have gone away backward by a continued course of backsliding, and have broken all the Articles of that solemne League and Covenant which we swore before God, angels, and men.

‘Albeit there be in the land many of all ranks who be for a testimony vnto the truth, and for a name of praise and joy<sup>1</sup> vnto the Lord, by living godly, studying to keepe their garments pure, and being stedfast in the Covenant and Cause of God; yet we have reason to acknowledge that most of ws have not endeavoured with that reality, sincerity and constancy that did become ws, to preserve the worke of Reformation in the Kirk of Scotland. Many have satisfied themselves with the purity of the ordinances, neglecting the power thereof; yea, some have turned aside to crooked wayes destructive to both. The prophane, loose, and insolent cariage of many in our Armies who went to the assistance of our Brethren in England, and the tamperings and vnstraight dealings<sup>2</sup> of some of our Comissioners and others of our nation in London, the Isle of Wight, and other places of that Kingdom, have proved great lets to the work of Reformation and setling of Kirk Government there, whereby error and schisme in that land have been encreased, and sectaries hardned in their way. We have been so far from

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<sup>1</sup> In the print *joy and praise*.

<sup>2</sup> In the print *dealing*.

endeavouring the extirpation of prophannesse, and what is contrary to the power of godlinesse, that prophanity hath been much winked at, and prophane persons much countenanced and many times employed, vntill iniquity and vngodlinesse hath gone over the face of the land as a flood. Nay, sufficient care hath not been had to separte betuixt the precious and the vile, by debarring from the Sacrament all ignorant and scandalous persons according to the Ordinances of this Kirk.

‘Neither have the priuiledges of the Parliaments and liberties of the subject been duly tendered, but some amongst ourselves have labored to put into the hands of our King an arbitrary and vnlimited power destructive to both; And many of vs have been accessorie of late to those means and ways whereby the freedom and priuiledges of Parliaments have been encroached vpon, and the subjects oppressed in their consciences, persons and estates. Neither hath it been our care to avoid these things which might harden the King in his evil way; But vpon the contrary he hath not only been permitted, but many of vs have been instrumentall to make him exercise his power in many things tending to the prejudice of Religion and of the Covenant, and of the peace and safety of these Kingdoms; Which is so farre from the right way of preserving his Majesties person and authoritie, that it cannot but proooke the Lord against him vnto the hazard of both; Nay, vnder a pretence of relieving and doing for the King whilst he refuses to do what was necessarie for the house of God, some have ranversed and violated most of all the Articles of the Covenant.

‘Our own consciences within, and Gods judgements vpon vs without, do convince vs of the manifold, wilfull, renewed breaches of that Article which concerneth the discovery and punishment of Malignants, whose crimes have not only been connived at but dispensed with and pardoned, and themselves received into intimate fellowship with ourselves, and entrusted with our Counsells, admitted vnto our Parliaments, and put in places of our power and authority for managing the publik affaires of the Kingdome, Whereby in Gods justice they got at last into their hands the whole power and strength of the Kingdome, both in judicatories and Armies, and did imploy the same vnto the enacting and prosecuting an vnlawfull Engagement in warre against the Kingdome of England, notwithstanding of the dissent of many considerable members of Parliament, who had given constant proof of their integritie in the cause from the beginning, of many faith-



full testimonies and free warnings of the servants of God, of the Supplications of many Synods, Presbyteries, and Shyres, and of the Declarations of the Generall Assembly and their Comissioners to the contrary: Which Ingagement, as it hath been the cause of much sinne, so also of much misery and calamity vnto this land, and holds forth to vs the grievousnesse of our sinne of complying with Malignants, in the greatnesse of our judgment, that we may be taught never to split againe vpon the same rock, vpon which the Lorde hath set so remarkable a beakon. And after all that is come to pass vnto ws because of this our trespasse, and after that grace hath been shewed vnto ws from the Lord our God by breaking these mens yoke from of our necks, and putting ws againe into a capacity to act for the good of Religion, our own safety, and the peace and safety of this Kingdome, should we againe break his comandment and Covenant by joyning once more with the people of these abominations, and taking into our bosome those serpents which had formerly stung ws almost vnto death? This, as it would argue great madnesse and folly vpon our part, so no doubt, if it be not avoided, will provoke the Lord against ws to consume ws vntill there be no remnant nor escaping in the land.

‘And albeit the peace and vnion betuixt the Kingdoms be a great blessing of God vnto both, and a bond which we are obliged to preserve inviolated,<sup>1</sup> and to endeavour that justice may be done vpon the opposers thereof; yet some in this land, who have come vnder the bond of the Covenant, have made it their great study how to dissolve this vnion, and few or no endeavours have been vsed by any of ws for punishing of such.

‘We have suffered many of our brethren in severall parts of the land to be oppressed of the common enemy without compassion or relief; There hath been great murmuring and repining because of expense of means and pains in doing of our duty; Many by perswasion or terror have suffered themselves to be divided and withdrawn to make defection to the contrary part; Many have turned off to a detestable indifferency and newtrality in this cause, which so much concerneth the glory of God and the good of these Kingdoms; Nay, many have made it their study to walk so as they might comply with all times and all the revolutions thereof. It hath not been our care to countenance, encourage, intrust and employ such only as from their hearts did affect and mind Gods

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<sup>1</sup> In the print *unviolated*.

work ; But the hearts of such many times have been discouraged and their hands weakened, their sufferings neglected, and themselves slighted ; and many who wer once oppen enemies and alwayes secret vnderminers countenanced and employed. Nay, even those who had been looked vpon as incendiaries, and vpon whom the Lord hath set marks of desperate malignancy, falsehood, and deceit, wer brought in as fit to manage publik affaires. Many have been the lets and impediments that have been cast in the way to retard and obstruct the Lords work, and some have keepest secret what of themselves they wer not able to suppress and overcome.

‘ Besides these and many other breaches of the Articles of the Covenant in the matter thereof, which it concerneth every on of ws to search out and acknowledge before the Lord, as we would wish his wrath to be turned away from ws ; so have many of ws failed exceedingly in the maner of our following and pursuing the duties contained therein, not only seeking great things for our selves, and mixing of private interests and ends concerning our selves and friends and followers with those things which concerne the publick good, but many times preferring such to the honour of God and good of his cause, and retarding Gods work vntill we might carry along with ws our own interests and designes. It hath been our way to trust in the means, and to relie vpon the arme of flesh for successe, albeit the Lord hath many times made ws meet with disapointment therein, and stained the pride of all our glory by blasting every carnall confidence vnto ws. We have followed for the most part the counsells of flesh and blood, and walked more by the rules of policie than piety, and have hearkened more vnto men then vnto God.

‘ Albeit we made solemn publick profession before the world of our vnfained desires to be humbled before the Lord for our own sinnes and the sinnes of these Kingdomes, especially for our own vndervaluing of the inestimable benefit of the Gospel, and that we have not laboured for the power thereof, and received Christ into our hearts, and walked worthy of him in our lives, and of our true and vnfained purpose, desire, and endeavour for ourselves and all others vnder our power and charge, both in publick and private, in all duties which we owe to God and man, to amend our lives, and each one to goe before another in the example of a reall Reformation, that the Lord might turne away his wrath and heavy indignation, and establish these Kirks and Kingdoms in truth and peace ; yet we have refused to be reformed, and have walked

proudly and obstinately against the Lord, not valuing his Gospel, nor submitting our selves vnto the obedience thereof, not seeking after Christ, nor studying to honour him in the excellency of his person, nor employ him in the vertue of his offices, not making conscience of publick ordinances nor private nor secret duties, not studying to edifie one another in love. The ignorance of God and of his Son, Jesus Christ, prevailes exceedingly in the land. The greatest part of Masters of families amongst Noblemen, Barons, Gentlemen, Burgesses, and Comons neglect to seek God in their families, and to endeavour the Reformation thereof; And albeit it hath been much pressed, yet few of our Nobles and great ones ever to this day could be perswaded to performe family duteys themselves and in their owne persons, which makes so necessarily and vsefull a duty to be misregarded by others of inferior rank; Nay, many of the Nobility, Gentry, and Barrons, who should have been examples of godlinesse and sober walking vnto others, have been ringleaders of excess and rioting. Albeit we be the Lords people, ingaged to him in a solemn way, yet to this day we have not made it our study that judicatories and Armies should consist of, and places of power and trust be filled with, men of a blamelesse and Christian conversation, and of known integrity, and approved fidelitie, affection and zeal vnto the Cause of God, but not onely those who have been newtrall and indifferent, but disaffected and Malignant, and others who have been prophane and scandalous, have been intrusted; By which it hath come to passe that judicatories have been the seats of injustice and iniquity, and many in our Armies by their miscarriages have become our plague, vnto the great prejudice of the cause of God, the great scandall of the Gospel, and the great increase of loosenesse and prophanitie throughout all the land. It were impossible to reckon vp all the abominations that are in the land; but the blaspheming of the name of God, swearing by the creatures, prophanation of Lords<sup>1</sup> day, vncleannesse, drunkennesse, excesse and rioting, vanity of apparrell, lying and deceit, railing and cursing, arbitrary and vncontrolled oppression, and grinding of the faces of the poor by landlords and others in place and power, are become ordinary and comon sinnes. And besides all these sinnes<sup>2</sup> there be many other transgressions whereof the land wherein we live are guilty, all which we desire to acknowledge and to be humbled for, that the world

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<sup>1</sup> In the print *the Lords*.

<sup>2</sup> In the print *things*.

may bear witnesse with ws that righteousness belongeth vnto God, and shame and confusion of face vnto ws, as appears this day.

‘And because it is needfull for these who find mercy, not only to confesse, but also to forsake their sinne, Therefore, that the reality and sincerity of our repentance may appear, We doe Resolve and solemnly ingage ourselves before the Lord carefully to avoid for the tyme to come all these offences whereof we have now made solemn publick acknowledgment, and all the snares and tentations which tend therevnto; And to testifie the integrity of our resolution herein, and that we may be the better enabled in the power of the Lords strength to perform the same, we do again Renue our Solemn League and Covenant, promising hereafter to make conscience of all the duties wherevnto we are obliged in all the heads and Articles thereof, particularly of these which follow :—

‘(1) Because Religion is of all things the most excellent and pretious, the advancing and promoting the power thereof against all vngodlinesse and prophanitie, the securing and preserving the purity thereof against all error, heresie, and schisme, and, namely, Independency, Anabaptisme, Antinomianisme, Arminianisme, Socinianisme, Familisme, Libertinisme, Scepticisme, and Erastianisme, and the carrying on the work of Vniformity shall be studied and endeavoured by ws before all worldly interests, whether concerning the King or ourselves, or any other whatsoever. (2) Because many have of late laboured to supplant the liberties of the Kirk, we shall maintain and defend the Kirk of Scotland in all her liberties and priviledges, against all who shall oppose or vndermine the same, or encroach therevpon vnder any pretext whatsoever. (3) We shall vindicat and maintain the liberties of the subjects in all these things which concern their consciences, persons, and estates. (4) We shall carefully maintain and defend the Vnion betwixt the Kingdomes, and avoid every thing that may weaken the same, or involve ws in any measure of accession vnto the guilt of those who have invaded the Kingdom of England. (5) As we have been always loyall to our King, so we shall still endeavour to give vnto God that which is Gods, and to Cesar the things which are Cesars. (6) We shall be so farr from conniving at, complying with, or countenancing of Malignancy, injustice, iniquity, prophanity, and impiety, that we shall not onely avoid and discountenance those things, and cherish and encourage these persons who are zealous for the Cause of God and walk according to

the Gospel, but also shall take a more effectuall course then heretofore in our respective places and callings for punishing and suppressing these evils, and faithfully endeavour that the best and fittest remedies may be applyed for taking away the causes thereof, and advancing the knowledge of God and holinesse and righteousness in the land. And therefore, in the last place, as we shall earnestly pray vnto God that he would give us able men fearing God, men of truth and hating covetousnesse, to judge and bear charge among his people, so we shall according to our places and callings endeavour that judicatories and all places of power and trust, both in Kirk and State, may consist of and be filled with such men as are of knowne good affection to the cause of God, and of a blamelesse and Christian conversation.

‘And because there be many who heretofore have not made conscience of the Oath of God, but some through fear, others by perswasion and vpon base ends and humane interests, have entered therevnto, who have afterwards discovered themselves to have dealt deceitfully with the Lord in swearing falsly by his name, Therefore we, who do now renew our Covenant in reference to these duties and all other duties contained therein, Do, in the sight of him who is the searcher of hearts, solemnly professe that it is not vpon any politique advantage, or private interest or by end, or because of any terror or perswasion from men, or hypocritically and deceitfully, that we do againe take vpon ws the Oath of God, but honestly and sincerely, and from the sence of our duty, And that therefore, denying ourselves and our owne things, and laying aside all self interest and ends, we shall above all things seek the honour of God, the good of his cause, and the wealth of his people, and that forsaking the counsell of flesh and blood, and not leaning vpon carnall confidences, we shall depend vpon the Lord, walke by the rule of his Word, and hearken to the voice of his servants: In all which professing our own weaknesse, we do earnestly pray to God, who is the Father of Mercies, through his Son Jesus Christ to be mercifull vnto ws, and to enable ws by the power of his might, that we may do our duty vnto the praise of his grace in the Churches. Amen.’

Order for  
printing the  
Solemne Acknowledgement  
&c.

The Commission appoynts the Solemne Acknowledgment and the other tua Acts for renewing the Covenant, and for debarring persons accessorie to the Engagement from the Covenant and Communion, to be forthwith printed, and that Messrs. David Dickson, Robert Traill, John M‘Gill, and Mr. Alexander

Colvill present these papers to the Committee of Estates for correspondence.<sup>1</sup>

The Commission appoynts the nixt meeting vpon Monday afternoon, and the Committee to meet and prepare a Declaration to the Kingdome.

The Commission appoynts Messrs. Robert Blair and John Smith to draw a letter to the Parliament of England, and Mr. Patrik Gillaspie a letter to the Synode of Divines.

*Edinburgh, 9 October 1648, post meridiem.*

*Sederunt*:—**MINISTERS**.—Mr. Robert Douglas, *Moderator*. Mr. John Smith : Mr. Robert Lawrie : Mr. Robert Traill : Mr. Patrik Colvill : Mr. Patrik Gillaspie : Mr. Heugh Kennedy : Mr. John Sinclair : Mr. George Lawder : Mr. David Dickson : Mr. Mungo Law : Mr. Andro Wood : Mr. James Gutterie : Mr. James Ferguson : Mr. Ephram Melvill : Mr. James Hamiltoun : Mr. David Auchterlony : Mr. George Lesly. **ELDERS**.—Mr. Alexander Colvill : Mr. Alexander Peirson.

The Commission having this day considered the Information of the present condition of affaires and Declaration concerning present dewties, appoynts the same to be put forth, and presently printed and sent to Presbyteries, and that Messrs. David Dickson and John Smith present the same to the Committee of Estates ; Tenor whereof followes :—

*‘ An Information of the present condition of affaires, and Declaration concerning present duties from the Commission of the Generall Assembly vnto the Kirk and Kingdom of Scotland.’*<sup>2</sup>

*‘ As the onely wise God is pleased to exercise his people, and carry on his works in these Kingdoms with many strange revolu-*

The Information and Declaration of the Commission of the Generall Assembly

<sup>1</sup> The result of this correspondence appears in the following Act, of date 14th October 1648 :—‘ The Committee of Estates . . . Do therefore unanimously and heartily approve the seasonable and pious resolution of the Commission of the General Assembly for a Solemn Acknowledgment of publick Sins and Provocations, especially the breaches of the Covenant, and a Solemn Engagement to a more conscionable performance of the Duties therein contained, and for renewing the Solemn League and Covenant : And do require and ordain that the directions of the said Commission of Assembly, in their Act of the Sixth of this moneth, for a publick Acknowledgment of Sins and Ingagement to Duties be carefully followed, that the Fast and Humiliation appointed by them be religiously observed, and that the Solemn League and Covenant be sincerely and cordially renewed, and subscribed in the manner they have prescribed in their said Act.’

<sup>2</sup> Published with the above title at Edinburgh, 1648, by Evan Tyler, Printer to the Kings most Excellent Majesty.

tions of Providence, so it becomes vs according to the varietie of his dispensation to declare and make knowne vnto the land the condition of the affaires of his house, and the dewties which he calls for in regard of the same.

‘ After the foundation of that vnlawfull Engagement against England, so destructive to Religion and the Vnion betuixt the Kingdoms, was laid in the Isle of Wight, by the vnhappy and sinfull compliance of the Commissioners and others of this Kingdome with his Majestys purposes and desires, it was carried on and concluded by a prevailing party of Malignant and disaffected men in the Parliament, notwithstanding of the dissent and protestatioun of a considerable number of the House, who had been straight and active in the cause of God from the beginning, and of the free and faithfull warnings of the servants of God, and the supplications of many Synods, Presbyteries, and Shires to the contrary; and was violently prosecute vnto the great oppression of the Lords people in their consciences, persons, and estates, and vnto the taking of Berwick and Carlile, and invading the Kingdom of England with a numerous Army vnder the conduct of Duke Hamiltoun, vntill the Lord, beholding the affliction of his people, and taking notice of the pride and blasphemy of the adversary, did scatter that Army, and bring vpon them so shamefull and totall an overthrow, as may be a wnesse to the following generations of his sore displeasure against the breakers of his Covenant and despisers of his Word; Wherein we doe not desire that any should rejoyce according to the flesh, but wish<sup>1</sup> it may be sanctified to those on whom it hes fallen, that they may repent, and vnto the lovers of God and his cause, that they may acknowledge his work and trust in his name for the tyme to come.

‘ A little before the defeat of those forces in England, the well-affected party in this land thought it necessary, and had resolved to bestir themselves vpon their former principles for the good of Religion and the safety of the Kingdom, and their owne defence and safety, against the tyrannie and oppression of the Malignant Party, who were now wreathing their yoke vpon the necks of honest men by a second Levie; And Divine Providence making the certane news of the defeat tryst with the beginning of their motions, they looked vpon it as an invitation and encouragement from the Lord to follow their former resolutions with the greater

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<sup>1</sup> *That* inserted in print.

celerity and speed. And whilst they were advancing towards Edinburgh for that end, some who had been active promoters of the Engagement against England did issue out commissions to classed rebells and incendiaries to take armes for acting their former mischief and cruelty, and taking themselves into the fields did invite vnto their help the Irish forces vnder the command of George Monro, and some other remnants of the scattered Army in England, for keeping themselves still in capacity and power to prosecute their own interests and ends and carry on the Engagement, as is evident from their letters of the 28 August sent to the Earl Marshall, Vicount of Dudope, Clerk Register, and George Monro, (ten days after the defeat of the Army in England,) Wherein, speaking of the Engagement, they declare their resolutions to recruit their Regiments, and to hazard their lives and fortunes and all that was dearest vnto them for carrying on against all opposition whatsoever that pious and loyall service, and that they and many others of this Kingdom did intend not to live and outlive it. But afterwards finding themselves at disadvantage, did move for an accomodation vpon such termes as were not onely dishonourable and dangerous but sinful and vnjust, as including a reall approbation of the Engagement against England, and a continuing of these in place and power who had been mainly instrumental in all the present evils. Yet, that it might appear how willing those with whom they had to do wer to hearken to the motions of peace, and to prevent the shedding of blood, they were content that some of both sides should meet for composing of differences in a just and fair way; And the Commission of the Generall Assembly also resolved to send some of their number to exhort them to repentance and perswade them to just and necessarie overtures of peace, or if they should continue in their wicked way to intimate to them that they would be necessitate to proceed against them with the sentence of excommunication. A Treaty with cessation of armes during the tyme thereof being concluded on both sides, in the meanwhile, before any meeting, the enemy marched vnto Stirling, and surprising the forces which were there (who were secure vpon the advertisement of the Treaty), did kill some, and take others prisoners, and possesse themselves of the towne and bridge and passes there, and left no means vnassayed for strengthening and increasing of their Army by labouring for a supply of forces from the Highlands and the Northern Shires. Yet notwithstanding of this hightning of differences by such a way of



dealing, the Noblemen and Gentlemen in armes for the Covenant, in pursuance of their former resolutions of peace, did intertain the motion of the Treaty, and sent four of their number vnto the place of meeting at Woodside with overtures of disbanding all forces on both sides, and referring all things concerning Religion vnto the Generall Assembly and their Comissioners, and all civill bussinesse vnto a lawfull and free Parliament. And albeit those things could not but satisfie all vnbyassed men, and that they who went from the Comission of Assembly did freely and faithfully acquit themselves in all things which they had in charge, yet did they not condescend or agree to accept of those conditions; and some days being spent in fruitlesse debates, the Committee of Estates, who were then returned to Edinburgh, consisting of such persons only as had dissented from the Engagement, considering that as yet they had no modelled Army, and that those in Stirling were strengthening themselves vnto the raising a new and dangerous warre, did take in deliberation what was fit for them to do in such en exigent. And whilst they were about their resolutions therein, they wer informed by letters from the English forces that they did resolve to prosecute the warre vntill their enemies wer put out of a condition of growing vnto a new Army, and the garrisons of Berwick and Carlile were reduced, and that they were advanced into Scotland for pursuance of those ends. And the Committee not finding themselves in a posture at that time, and that they could not in justice refuse to suffer the Englishes to pursue those who had invaded their Kingdom, sent some of their number vnto Berwick and Carlile to perswade the rendring those Garrisons, and vnto the English Army to take care that their coming into the Kingdom of Scotland might be without any prejudice to Religion, and as little detriment to the countrey as possible. A few days there after the forces at Stirling accepted of the conditions offered vnto them by the Committee of Estates.

‘ It shall be needlesse to insist vpon the vindication of the rising of these Noblemen and Gentlemen and others that took armes for the Covenant, the tyrranie of those with whom they had to doe being vnsupportable, and such as threatned ruine and desolation to the land, and tended vnto the rending asunder of the Vnion betuixt the Kingdoms, the overturning of the work of God, and the putting of an arbitrarie and vnlimited power vnto the hands of the King, and the setting vp of the Popish, Prelaticall, and Malignant Party for acting all their mischievous and wicked designes; And

they who took armes being a considerable part of the Parliament who had dissented from and protested against the Engagement, and had been the chiefe instruments of carrying on the Lords worke from the beginning, and having assisted vnto them many others of place and power, and having also for them the body of the people of the land, and the Ministry and all the judicatories of the Kirk, and being obliged by the Covenant to promove this cause against all lets and impediments whatsoever ; It were also needlesse to take pains in proving the sinfulness and vnlawfulness of the Engagement against the Kingdom of England, the Generall Assembly having done it so fully from the Word of God and from the Covenant, and the Lord having ingraven upon it so visible characters of his heavy displeasure, not only by giving vp most of the instruments that were employed in it vnto the lust of their owne heart to commit all sorts of wickednesse with greedinesse, but also by so shamefull and totall a defeat of that Army as has few paralells in any age ; it shall be more vseful in this posture of affairs, whilst the Lord is breaking the horn and bringing doune the power and pride of enemies, for everie one in the land to consider his work and to regard the operation of his hands. And therefore in the first place :

‘ (1.) It doth concern all the authours, promoters, and abettors of that wicked course, and all these who comply with the purposes and designes of the Malignant Party throughout the land, to behold the Majestie of the Lord, and his hand lifted vp in behalf of his people, that they may learn Righteousnesse, and dash themselves no more against the rock of his displeasure, by continuing to oppose his work and disturbe the peace of his people. The Lord hath now for ten years past shoven himself against them in all their devices and designes ; and though he hes many tymes suffered them to conceive mischief, yet they have alwayes travelled with vanity and brought forth the wind. They have alwayes been snared in the work of their owne hands, and their devices have returned vpon their own heads ; yea, their most subtile and malicious plots have in a strange way of dispensation from him who is wonderfull in counsell and excellent in working turned to the advantage of the Lords cause and good of his people ; And if they be not wise at last to observe and see these things, as their way is delusion, so the end hereof shall be bitterness and death. There could be no thing more satisfying to ws then that the spirit of Malignancy wer banished from the hearts of men, and the name of Malignants

buried never to be revived nor remembered any more amongst us ; And could such be induced to quite their prophane and formall way, and to turne vnto God, we are confident that all the enmity that they have against his work and his people should quickly evanish, and that they should find mercy and comfort. But as long as they stand at a distance with the Lord in regard of their private condition and carriage, what wonder is it though they have no love to his cause nor his servants ? We wish that God may give them repentance, that they may recover themselves out of the snare of Sathan, and come to amendment.

‘(2) Whatever shall be the fruit of the Lords work in these, it concernes such who wer formerly oppressed in their consciences, persons and estates, in this day of reviving and delivery to remember their wayes and be ashamed, as for all the evill thereof, so for the great connivance and countenance they gave vnto disaffected and malignant men, and carried on that wicked warre that hes been the cause of so much sinne and miserie vnto this poor land. Neither is it to be forgotten that, though many keep their consciences pure, and did rather choose to suffer the spoyling of their goods, and to expose themselves to the hazard of all the violence and oppression of those who carried on the Engagement, then to sin against God ; yet not a few even of those who wish well to the Lords work, whether through fear or earthly mindednesse, gave so farre place vnto their vrath as in some measure to comply with the evill of their course, by giving obedience vnto their vnlawfull comand, in putting out horse and foot, and advanceing moneys for that end, who, albeit they have many things to plead for themselves before men, yet their way hath not been straight before the Lord, who searches the hearts and ponders the paithes.

‘(3) It is high time for those in whose hands the Lord hath againe put the managing of publick affaires from dear bought experience to learne wisdom, and avoid the rocks vpon which they have formerly split. Carnall counsell, foolish pittie, and self interest made many of these not only to slack their hands and remit their zeal against the opposers and vnderminers of the Lords work, but also to receive them vnto publick counsells and imployments ; And if, after this way hath been so much cursed of God vnto them, they should againe fall therein, as the fault will be without excuse, so it cannot but bring some strange testimony of the Lords displeasure vpon these who, after that he had punished them lesse then their iniquities do deserve, and given them such deliverance,

do again return to break his comandment by joyning with the people of these abominations. And therefore we trust that such will take heed that they be not againe deceived, neither by the carnall counsell of their own hearts from within, nor by the fawnings and flatteries of these men from without.

‘As the malignancy of some, and vnrighteous dealing and loose and scandalous walking of others in judicatories and Armies and places of power and trust in the Kingdom, have been a main cause of all the evils both of sin and punishment vnder which the land groanes, so it concernes these whom God hath called therevnto to endeavour the reforming and purging of judicatories and Armies, by removing from them all malignant and scandalous persons, especially those who have been authors, promoters, or abettors of the Ingagement against England, and of the course pursued by the forces at Sterling vnder the command of the Earl of Lanerk and George Monro, and that all places of power and trust may be filled with men of knowne integritie and affection to the Cause of God, and of a blamelesse and Christian conversation. So shall Malignancie, injustice, iniquity, prophanenesse, and impiety be suppressed and punished, and Religion and righteousness be advanced, and the blessing of the Lord shall be vpon all publick proceedings, and his pleasure shall prosper in the hands<sup>1</sup> of publick instruments. And though this duty may be attended with many difficulties, yet it being such as without it we cannot expect any delivery from present evill, or any stable injoyment either of present or future blessing, we trust it shall be seriously minded by those whom it concerns. Let them deal couragiously, and the Lord shall be with the good.

‘Albeit the former designe of the Malignant Party be defeat, and their power broken in both Kingdoms, yet it shall be no wisdome to be secure, as though there were no more evil or danger to be apprehended from them, who, retaining their former principles, will no doubt still study to drive their old designs. And, therefore, as it would be the care of every one to avoid their snares, discover their subtilties, and oppose their wayes, so it concernes those who are in power and authoritie in a speciall way to take heed that they do not trouble the peace of the land. And it doth no lesse concerne the Watchmen of the Lords House both to endeavour to keepe their people pure, that they be not infected with errors of Sectaries, nor drawn away from the Truth, and also to purge out from among them

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<sup>1</sup> In the print *hand*.

the leaven of Malignancy and prophanity, and to give timous and faithfull warning of dangers on all hands, and to exhort to a faithfull performance of all the duties that the Lord calls them vnto in these times, especially of that solemn publick Acknowledgment of sins and the renewing of the League and Covenant now resolved vpon. It is a great obligatioun from the Lord vpon all that have been faithfull amongst the Ministry in this land, that he was not only pleased in the day of temptation to keep them in a straight paith, and to give them to speak his Word with all boldnesse, notwithstanding of the threatenings of enemies, but to preserve them from the wrath of men, and to confirm their testimony by so reall a declaration of his displeasure from heaven against these who despised the message of God in their mouths, which should encourage all who speak in his name to do their duty faithfully and without fear.

‘In the last place it is incumbent to all the Lords people throughout the land, from the sense of his mercies and rods, to draw neer vnto him by vnfained repentance and reall reformatioun, and as to mourne for all the breaches of the Solemne League and Covenant, so to prepare themselves for the renewing thereof with these sutable affection and dispositions that become so great and grave<sup>2</sup> a work, that his wrath may be turned away from them, and that they being delivered out of the hands of their enemies may serve him without fear all the dayes of their life in holinesse and righteousness.’

Advise to the  
Visitors of  
Sterline.

The Commission advyses that the brethren of the visitation of Stirling meet vpon the 2d Twesday of November nixt at Stirling, in respect the dyet appoynted by the Assembly for that visitation was interrupted.

The Committee to meet the morne at 8 houres, and the Comission at 10 houres.

*Edinburgh, 10 October 1648.*

*Sederunt*.—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Robert Traill: Mr. John Lawder: Mr. Robert Ker: Mr. Patrik Gillaspie: Mr. Heugh Kennedy: Mr. John Smith: Mr. James Ferguson: Mr. Mungo Law: Mr. David Dickson: Mr. Ephram Melvill: Mr. Andro Wood: Mr. George Leslie: Mr. James Gutterie: Mr. John Sinclair: Mr. Patrik Colvill: Mr. David Auchterlony: Mr. Robert Lawrie. ELDERS.—Mr. Alexander Colvill: Mr. Alexander Peirson.

<sup>1</sup> In the print *so grave and great*.

This day Mr. Gavin Forsyth, Mr. Thomas Cranstoun, Mr. Francis Cockburne, and Mr. Andro Keir, sumonded to answer for their taking on in the late Engagement, having this day appeared and declared their accession in the said matter, the Comission refers them to the next Generall Assembly, and in the meane tyme discharges them from preaching.

M. Gavin Forsyth.  
M. Thomas Cranston.  
M. Francis Cockburn.  
M. Andro Keir.

This day Mr. Thomas M'Gill appearing personallie, and declaring that he was not in the Engagement, and the Comission having found no thing against him in relation to the said Engagement, but vnderstanding that he exercises here in the Ministry, Therefore refers to the Presbyterie of Edinburgh to try whether he be an admitted Minister or not, and to take course accordingly.

Mr. Thomas MacGill.

The Commission of Assembly refers Mr. William Purdie to the next quarterly meeting, and in the meane tyme discharges him from preaching.

M. William Purdie.

Mr. William Cherilaw, Mr. Robert Schidow, Mr. William Watson, Mr. Robert Beatoun, Mr. John Cruikshank, Mr. Thomas Panther, pretenders to the Ministerie, being cited to appear this day to answer for their performing Ministeriall dewties to the Army that invaded England, or to the forces that troubled this countrey vnder the comand of the Earl of Lanerk and George Monro, and not compeiring, The Comission of the Generall Assembly appoynts them to be warned againe out of the pulpitts of Edinburgh the nixt Sabbth to compeir before them the nixt quarterly meeting, being the last Wednesday of November, with certificatioun if they compeir not the Comission will proceed against them, and in the meane tyme discharges them from preaching.

Other Expectants vpon the Engagement.

The Commission continues Mr. John Halyburtoun quhill the morne.

The nixt meeting the morne at 10 houres.

### *Edinburgh, 11 October 1648.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Robert Blair: Mr. James Gutterie: Mr. Ephram Melvill: Mr. Robert Traill: Mr. George Lesly: Mr. Robert Elliot: Mr. Andro Wood: Mr. John Weir: Mr. David Dickson: Mr. John Smith: Mr. John Hamiltoun: Mr. David Auchterlonie: Mr. Robert Lawrie: Mr. Hew Kennedy: Mr. James Ferguson: Mr. John Lawder: Mr. Mungo Law. ELDERS.—Lord Angus: Nidrie: Sir James Hacket: Mr. Alexander Peirson.

Brethren to  
speak the Lord  
Chancellor.

The Commission appoynts Messrs. David Dickson, Robert Blair, and James Hamiltoun to speak to the Lord Chancellor, that seing his Lordship may perceive how the Commission hes taken notice of the miscariage of busines in Isle of Wight, his Lordship will take his own part in it to serious consideration, and to advise him to acknowledge and thinke vpon a way for removing the scandalls of it.

The Com-  
mittees answer  
to the 2 first  
desires given  
at Brunstoun  
19 September.

Tuiching the question moved from the Generall officers concerning the employing of these that were in armes in the late Engagement, the Comission of the Assembly having heard the resolution of the Comittee of Estates thereanent, Declare that they find the Comittee hes thereby ansred their first tua desires contained in the paper given to their Lordships at Brunston 19 September, and therefore are satisfied.

The next meeting at 4 houres, and the Comittee to meet at 2 afternoon.

*Eodem die, post meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Robert Traill: Mr. John Lawder: Mr. Mungo Law: Mr. George Lesly: Mr. James Ferguson: Mr. James Hamiltoun: Mr. Andro Wood: Mr. Robert Blair: Mr. Kenneth Logie: Mr. David Dickson: Mr. David Auchterlony: Mr. Robert Lawrie: Mr. James Gutterie: Mr. Patrik Colvill: Mr. Ephram Melvill: Mr. John Weir: Mr. Robert Elliot: Mr. John Smith: Mr. Heugh Kennedy: Mr. Patrik Gillaspie. [ELDERS.]—Nidrie: Mr. Alexander Colvill: Mr. Alexander Peirson: Sir John Cheisly.

Sir John  
Cheislie.

Sir John Cheisly having appeared this day, and shoven his accession to that bussines concerning the transactions with the King in the Isle of Wight, and his sense thereof and sorrow, therefore the Comission wes well satisfied therewith, and appoynts him to give in his confession in writt to be putt vpon record; Tenor quherof followes:—

His Confession.

‘Whereas the proceedings of the Comissioners of this Kingdome at the Isle of Wight and London, in the moneths of December 1647 and January 1648, were destructive to the Solemne League and Covenant, and the Worke of Reformation in these Kingdoms, to some of which proceedings I was accessory as their Secretary, I doe willingly and freely acknowledge that it was the great mercy and goodnesse of God, and no thing in myself, that preserved me from being employed as Secretary in the grossest of these transactions, and I am heartily sorry for my slack opposition at that tyme to these

proceedings, and that I did not reveale the same at the first immediately after I was acquainted therewith, which offence I doe ingenuously confesse to be matter of high provocation against God, and of great scandall to his people: All which I thought necessarie for me to declare, first more largely by word, and now shortly in wryting, to this venerable meeting, (whereof the Generall Assembly was pleased to appoynt me a member), that I might disburden my mind by acknowledgment of this guilt before I went out of the Kingdome about the publick service, wherevnto I am called by the Comittee of Estates, earnestly beseeching that yow would remember me in your prayers at the throne of Grace, that the Lord may blesse mee with strength and faithfulness in the trust comitted to mee, which by his grace and assistance shall be the earnest study and constant endeavour of

Your very affectionat servant in Christ,

*Edinburgh, the  
10 October 1648.*

*Subr. Jo. CHEISLIE.'*

The Commission of the Generall Assembly for the publick affaires of the Kirk, considering how necessarie it is That in pursuance of the intended Vniformity of Religion in the three Kingdoms, some from this Kirk wer now in the Kingdome of England for endeavouring the prosecution of that so much desired work, that after so great paines and travells the same may be, by the blessing of God, happily perfected and concluded, And the comission for the Treaty of Vniformity being renewed by the late Generall Assembly to the persones formerly entrusted, and such others as should be named by ws: Therefore doe nominat their Reverend Brother, Mr. Robert Blair, Minister, and Sir John Cheislie, Ruleing Elder, Authorizing them hereby with full power to endeavour the promoting of the said work of Vniformity, and to prosecute the Treaty thereanent with the honorable Houses of the Parliament of that Kingdome, the Reverend Assembly of Divynes there, or any Comittees appoynted by them, and to joyne with any other Commissioners named by the late Generall Assembly for the said Treaty of Vniformity when they shall be sent thither, And to doe all things conforme to the Comission of the Generall Assembly and the instructions which are now given or shall be given vnto them at any tyme hereafter.

Commission to  
the Brethren  
sent to Eng-  
land.



Their Instruc-  
tions.

*'Instructions from the Commission of the Generall Assembly to Mr. Robert Blair and Sir John Cheisly. October 11th 1648.*

'Yow shall deliver to the honorable House of Comons and the Reverend Assembly of Divynes the letters direct vnto them, and shew the trew reason why the Generall Assemblies letter to the Synod of Divines wes not sooner delivered, the troubles and distractions here obstructing the safe conveyance of letters.

'2. Yow shall carefully labour to prosecute the worke of Vniformity conforme to your Comission, and yow shall signifie that for the purpose some others from the Kirk shall be ready to come there to give their concurrence and assistance if it be found necessarie.

'3. Yow shall not faill from tyme to tyme to give ws constant intelligence of affaires there, and when any matter of importance falleth in consideration or debate, yow shall timeously informe vs, and receive our advise before yow consent to any determination therein.

'4. Yow shall give vnto the Parliament and Assembly there a right vnderstanding of all our affaires here, and labour that a good correspondence may be kept betuixt the tua Kingdoms.

'5. If yow have occasion, yow shall deall with the Kings Majestie vpon the grounds he wes dealt with at Newcastle, and according to the Comission of the Generall Assembly there-  
anent, especiallie labouring with him to signe the League and Covenant, and showing how vnsatisfactorie his late concessions were vpon the reasons contained in the Declaration of the late Comission of Assembly, and in the Petition of the late Generall Assembly, which, with the letter from ws, yow shall tender to his Majestie as yow shall find it necessary or convenient.

'6. Yow shall labour earnestly for obtaining payment of Doctor Sharps precept,<sup>1</sup> according to the severall recommendations of the Generall Assembly and their Commissioners to the Parliament and Committee of Estates.'

The Comission appoynts the letter to be sent to the Synod of Divynes; Tenor quherof follows:—

<sup>1</sup> That is the precept of the Scottish Parliament authorising repayment of the sums he had lent them, out of the first £50,000 of the second £200,000 promised but never paid by the English Parliament. See note on p. 585 of previous volume of *Minutes of Commission*.

‘MUCH HONOURED AND RIGHT REVEREND,—The distractions and confusions of this tyme since the meeting of our Nationall Assembly have been such as deprived ws, to our great greife and losse, of the comfort of all correspondence with yow in our very sad condition; Whereby also it hath come to passe that the letters of the late Assembly to yow have been kept back till this tyme.

Letter to the  
Synod of  
Divynes.

‘Wee doubt not, deare brethren, yow have been very much afflicted with the oppressions and sufferings of the godly in this land, who, for keeping them selves free from and giving testimony against the iniquitie of that sinfull Engagement against the Kingdome of England, were made a prey to the Malignant Party, And that yow have not ceased to make mention of ws in your prayers to God, that we might keepe the Word of his patience, and be kept by his power in the hour of tentation. And we cannot conceale from yow (knowing that it will be the matter of your joy and thanksgiving) how wonderfully the Lord hath begun to worke our delivery, at once stirring vp the spirits of the godly and well affected among ws, who had but very lately been suffering greivous oppressions in their consciences, persons, and estates, to take armes for their necessary defence and preservation of our Religion and liberties, so that we must say, “He that is mighty hath done great things for ws, and holy is his name.” And yet the Lord suffers ws not to want matter of exercise vnder the difficulties wherewith we still wrastle, that yow with ws may not onely thankfully make mention of his name who hath remembred ws in our low estate, and given ws a reviving in our bondage, but also may send vp prayers and supplications to God, who hath delivered ws from so great a death, that he would yet deliver ws and keep ws from despondency of spirit while new mountaines of opposition arise in our way.

‘But it shall not be necessary for ws to say more of our present condition, having sent vnto yow our worthy and highly esteemed brother, Mr. Robert Blair, by whom yow may have more particular account of our affaires. And we hope, as he hes been faithfull amongst ws, so he shall with no lesse approbation acquitte himself amongst yow in the trust comitted vnto him for promoting the Lords worke, which we pray the great Master Builder to accomplish and perfect in your hands, to his

owne glory, and the confort of his people in all the three Kingdoms.

Edinburgh,  
11th October 1648.

*Subscribed by your most loving brother  
and fellow-labourer in the name of  
the Commission of the Generall  
Assembly of the Kirk of Scot-*

‘The Comittee of Estates having entrusted Sir John land.<sup>1</sup>

Cheisly in their affaires in that Kingdome, because of the assurance we have of his abilities and affection to the cause of God, and for his active opposition to the late vnlawfull Engagement, wee thought good to joyne him in Comission with our brother, Mr. Robert Blair, that by mutuall assistance and concurrence they may endeavour the promoteing the Lords work with yow.’

The Commission approves the Letter to be sent to the Parliament of England ; Tenor whereof followes :—

Letter to the  
Parliament of  
England.

‘Wee, the Comissioners of the Nationall Assembly of the Kirk of Scotland, having received a letter from the honorable House of Commons assembled in the Parliament of England, directed to the late General Assembly or their Comissioners, have thought it our duety to returne this answer to that honorable House.

‘As this Kirk in the severall judicatories thereof have given manie publik testimonies by word and writt (some whereof are published in print to the view of the world) against that sinfull Engagement of manie in this Nation who joyned in war vpon our brethren in England, so doe we acknowledge that it hath been a notorius breach of the Solemn League and Covenant, against which the God of heaven hath manifested his displeasure, and all the godly in this land have evidenced their detestation. The just and pious resolution of the honorable House, that they will not impute this eivell to the Nation in generall, nor be induced by any provocation to withdraw themselves from those in this Kingdome who retain their former

<sup>1</sup> The subscription of the Moderator however is not inserted. The *Minutes* of the Westminster Assembly contain no indication that this letter was actually delivered to the Assembly, or that Mr. Blair ever sat in it, though the House of Commons (*Journals*, vol. vi. p. 61) on 26th Oct., and the House of Lords on the 27th (*Journals*, vol. x. p. 566), agreed that he should do so.

principles, is without doubt a singular testimony of the Lords mercy to both Nations, as contributing to the preserving of the Vnion betuixt the Kingdoms, which we beseeke the God of heaven to keep inviolable to all generations.

‘Wee know it is not vnusuall that these who were about great works be obnoxious to manifold exceptions and lyable to greevous aspersions; And though we make no question but there have been many misrepresentations of your actions and proceedings, yet we cannot but professe our greefe for the slow progresse of the work of Reformation, for perfecting whereof we doe still long and pour out our hearts in the bosome of the Father of mercies. In the mean tyme we blesse the Lord for the severall stepps of his advancing toward the purging of his house and planting his ordinances, and in speciall wee magnifie his power and mercie who hath blessed the labours of the honorable Houses in the extirpation of Prelacy, in abolishing the Service Book, comonly called the Book of Comon Prayer, in taking away all superstitious ceremonies and Popish innovations, in passing Ordinances for authorizing the demolishing all the monuments of idolatrie and superstition, for ejecting of scandalous ministers and schoolmasters, and finallie in purging the Vniversities and chiefe schooles of the Kingdome, and planting therein such as are well affected to the Reformation of Religion and Vniformity with other Reformed Kirks.

‘It is a matter of no small joy to ws, as highly tending to the honour of God, that the honorable Houses have established a Directory of Worship, comanding the practise of it throughout the whole Kingdome, have approven the Greater and Lesser Catechisme, and have made such progresse in the Confession of Faith and Presbyteriall Government. But how great a mater of rejoycing wold it be both to ws and all the Reformed Kirks, that they wold be pleased not only to receive Presbyteriall Government for a tyme, but to establish the same in its full perfection and power, according to the Word of God and example of the best Reformed Kirks; For without this we know no other proper and effectuall remedy against the dangers of Religion there, or from<sup>1</sup> purging the Kirks from scandalls which are destructive ether to sound doctrine or to godlinesse. And

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<sup>1</sup> Probably instead of *for*.

yet (as the National Assembly 1647, in their Brotherly Exhortation to their Brethren in England, have declared) wee would not have our zeall for Presbyteriall Government misunderstood, as if it tended to any rigour or domineering over the flock, or to hinder and exclude that instructing in meekness them that oppose them selves, which the Apostolicall rule holds forth, or as if we wold have any such to be intrusted with that Government as are found not yet purged either from their old prophannesse or from the Prelaticall principles and practices, seing to our great joy we vnderstand there are many learned, able, godly, and prudent Ministers in that Kingdome fitt to be employed in that Government, together with such able and pious men as are to be joyned with them in the capacity of Ruleing Elders.

‘As our soules are greeved that his Majesty by his former cariage, and in his late Declaration from the Isle of Wight, hath cast in the way so great letts for obstructing the work of the Reformation of Religion, so it greatly comforted our hearts when we read the pious resolution of the honorable House, That (by Gods assistance, who hath helped them hitherto), it shall be their care and endeavour against all dangers and discouragements whatsoever to proceed in the work of Reformation vntill it be perfected; and that more particularly concerning Presbyteriall Government, they doe (by Gods assistance) resolve to pursue the further perfecting and establishment of it in all parts both in England and Irland.

‘Wee were also not a litle satisfied that both Houses endeavour to stoppe the mouth of malice by declaring of their fixed purposes not to alter the fundamental Government of that Kingdome, and that their desire of setling peace hath made them now againe to agree vnto a personall Treaty with his Majestie in the Isle of Wight vpon the Propositions presented at Hampton Court, being willing to take the concurrence of Comissioners from the Kingdome of Scotland. But withall we doe earnestly desire in the name of the Lord Jesus Christ that, in all agreements with his Majesty, it be your chiefe care to have the Propositions concerning the Covenant and the setling of Reformation agreed vpon in the first place, before all other maters whatsoever, lest the Lord our God be yet further provoked to pour forth his wrath and indignation vpon those Kingdomes.

'As to your desires and endeavours to preserve the vnion and brotherly agreement betuixt the Kingdoms, they were and are the more conspicuous and praiseworthy, that in the mean tyme there was so vigorous and violent a pursuing of a sinfull Engagement in warre by many in this Kingdome against yow. And as we vnderstand the late offer of assistance of both Houses tended to the preservation and strengthning the vnion betweene the Kingdoms, so we doe seriously exhort your honours constantly to continue your endeavours therein, suppressing all Malignant enemies, and vigourously to pursue the perfecting of the work of Reformation, laying hold vpon the present opportunity which God hath put in your hands, and shewing your zeall for God in condigne censuring blasphemies, heresies, and errours, which have sprung vp apace and spread dangerously by reason of the delay of setting Kirk Government.

'Which things, if yow shall faithfully endeavour to doe, we are confident the Lord will strengthen yow against your enemies and blesse your proceedings, and in end establish these Kingdoms in peace, to his owne glory, and the great comfort of his people.

Edinburgh,  
11th October 1648.

*Subscribed in the name of the Comission of the  
Generall Assembly of the Kirk of Scotland,  
By your humble servant in the Lord,  
Subr MR. R<sup>OT</sup>. DOUGLAS, Moderatour.'*<sup>1</sup>

This day Mr. Johne Halyburtoun appearing and acknowledging how far he was engaged to serve in the late Engagement, the Commision refers him to the next Generall Assembly, and in the meane time discharges him from preaching.

Mr. Johne  
Haliburtoun.

The Commision of Assembly recomends seriously to Presbyteries to be carefull that all Expectants and deposed and suspended Ministers, or others pretending to the Ministerie, that took on to serve in the late Engagement be suspended from the Lords Supper and from the Covenant vntill the next Generall Assembly.

Recomenda-  
tion to Presby-  
teries concern-  
ing Expectants  
vpon the  
Engagement.

<sup>1</sup> This letter is not copied into the *Journals of the House of Commons*, but under date of 26th October 1648 the following entry is made, 'A letter from the Commissioners of the National Assembly of the Kirk of Scotland from Edinburgh of 11<sup>o</sup> Octobris 1648, subscribed "In name of the Commission of the General Assembly of the Kirk of Scotland by

Your humble Servant in the Lord,

*Mr. Robert Douglas, Moderator."*

Mr. Henry  
Areskin  
expectant.

This day Mr. Henry Areskine appearing and declaring that he went out with Duries Regiment as a single sojer, that he never preached, but only prayed to the Regiment, and twice, at the desire of Durie, had a publick exhortation to the said Regiment publicklye from some passage of Scripture, which being considered, the Comission thinke him worthie of a sharp publick rebuke, and that the Moderator is accordinglie to rebuke him for reading and interpreting Scripture publickly, he being only a privat man and not comanded to exercise publickly, and discharges him to enter vpon any tryall for the Ministerie.

*'Resolution of the Commission of Assembly concerning the employing of souldiers in this present service.*

Resolutions  
concerning  
employing  
souldiers in  
the present  
service.

'That according to their desires given to the Committee of Estates at Brunstoun, non of the officers in the late vnlawfull Engagement be now employed in this service.

'That the officers in this service be desired to vse all meanes for employing such sogers as have not been in the late Engagement against England, and are of a blamelesse conversation, and that all Ministers contribute their endeavours and be assisting therevnto; To which effect letters shall be written to them.

'Iff there be a necessitie, the before mentioned meanes being essayed to employ any that were in armes in the said Engagement, it is our opinion:—

'1. That sufficient testimony be had that they are such as were forced to goe out in that Engagement, were before well affected to the Covenant and cause, and free of grosse faults.

'2. That such of them that were in the late Engagement as have no certaine Parish come to Messrs. James Hamiltoun, Mungo Law, John Smith, George Lesly, and John Weir, or any two of them, who shall try their conversation and their sense of their accession to the Engagement, and accordingly give testimonie thereof.

'3. That non of them that were in the said Engagement be received in employment without disclameing of it as sinfull, obliging them selves by oath never to justifie or defend it.

'4. They are also publickly vpon a Sabbath day to acknowledge that offence before the Congregatioun where they quarter.

‘5. That they take the League and Covenant if they have not taken it formerly.’

*‘The Humble Desires of the Comission of the Generall Assembly to the Honorable Comittee of Estates.*

‘1. That the countrey be eased of the heauey burthens they are groaning vnder, especially of free quarter so farr as can be. The Humble Desires to the Comittee of Estates.

‘2. That a most strict and exemplary course be layed doune for punishing the insolencies of souldiers, especiallie their plunderings.

‘3. That course also may be taken for exemplar punishment of souldiers that shall justifie or defend the late Engagement.

‘4. That all officers and soters be ansrable to Church discipline in the severall Parishes and Presbyteries where they quarter, and that the officers be assisting for making the comon souldiers answer and subject them selves to censure.

‘5. Because tennents contrarie to publick orders in many places are forced to pay the maintenance, that some effectuall course be sett doune how they may be freed from that oppression.’

The Commission of Assembly having heard Mr. Simeon Knox, personallie present, declare himself, Refers him to the Generall Assembly, and in the meane tyme discharges him from preaching; And seing in him some greater appearance of sorrow and sense nor in vthers, therefore they in the meane tyme recomend to the Presbyterie of Edinburgh that he be conferred with and cherished. Mr. Simeon Knox.

The Commission of Assembly recommends to Presbyteries to take speciall tryall of the conversation of souldiers, and that they give no recommendation to such as they find openly prophane; and that they try the sinceritie of the repentance of such as have been in the late Engagement, and that they give their testificats accordinglie therevpon. Recommendation to Presbyteries.

*Edinburgh, 12 October 1648, post meridiem.*

The brethren not being frequent resolve to meet the morne more frequentlie.



*Edinburgh, 13 October 1648.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Robert Blair : Mr. James Gutterie : Mr. George Lesly : Mr. James Hamiltoun : Mr. David Dickson : Mr. Mungo Law : Mr. Robert Lawrie : Mr. Ephram Melvill : Mr. David Auchterlony. ELDERS.—Libbertoun : Mr. Alexander Colvill : Mr. Alexander Peirson.

*'The Humble Desire of the Comission of the Generall Assembly to the Honorable Committee of Estates.*

Desire to the  
Committee of  
Estates.

'WHEREAS Officers are earnestly desired by ws to take on such souldiers as have had no accession to the late Engagement, and only in the case of necessitie, all other meanes being essayed, advyseing to take one some of the comon souldiers that tooke armes in that Engagement, in the maner expressed in the Articles thereanent, resolved vpon on the [11th] of this moneth, Our humble desire is that your Lordships will in your wisdomes take some effectuall course, That if any officers shall take on any of the souldiers that were in the said Engagement, the Shyres may be eased of the proportionable burthen of men, horse, armes, or money, that the countrey be not vnnecessarily burdened ; And our resolution, which presupposeth a case of necessitie, be not for privat ends and interests eluded.'

The papers produced yesterday and this day from the Commissioners from Irland being read, the Comission thinke fitt to continue to give any opinion therevpon vntill a more frequent meeting.

The Comission appoints a frequent meeting vpon Monday at 2 houres, and that letters be written to the Commissioners in Dalkeith and Lythgow for that effect.

*Edinburgh, 16 October 1648, post meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. John Knox : Mr. Robert Lawrie : Mr. Samuel Oustain : Mr. Robert Traill : Mr. Ephram Melvill : Mr. George Lesly : Mr. David Dickson : Mr. Robert Ker : Mr. David Auchterlony : Mr. John Sinclair : Mr. Mungo Law : Mr. James Gutterie : Mr. James Hamiltoun. ELDERS.—Libbertoun : Mr. Alexander Peirson : Mr. Alexander Colvill : Lawrence Henderson : William Browne.

This day the brethren thinke fitt to send the letter following to the Kings Majestie, together with the late Assemblies letter

to him, as also that a letter be sent to the Prince ; Whereof the tenor also followeth :—

‘MAY IT PLEASE YOUR MAJESTIE,—The late Nationall Assembly of this Kirk did expresse their thoughts in a Supplication to your Majesty concerning your concessions from the Isle of Wight, and the vnlawfull Engagement against the Kingdome of England, which will beare faithfull testimony for them that, as they forsaw the evill of that warre, and of the grounds thereof, so they did forwarne your Majestie of the danger of the same ; And therefore, albeit the confusions of these tymes obstructed the tymeous sending and delivery thereof, yet it may be vsefull for your Majestie to looke therevpon. And because we hear that your Majestie is vpon a Treatie of peace, wee doe earnestly beseech your Majesty in the bouells of Jesus Christ, from the sense which wee have of our duetie as his servants, and from the tender respect which we owe to your Majesty as subjects, that yow wold seriously ponder how many disappoyntments the Lord hath made yow meet with in all these things which yow have intended and prosecuted hithertill, as a clear evidence of the Lords continued controversie, and that yow wold once at last hearken to our humble desires to your Majestie concerning Religion and the Solemne League and Covenant, which wold be the exceeding great joy of

Your Majesties humble subjects and servants,

THE COMISSIONERS

OF THE GENERALL ASSEMBLY.

*Edinburgh,*  
16 October 1648.

*Subscribed in their name by*

MR. ROT. DOUGLAS, *Moderator.*’

‘PLEASE YOUR HIENES,—As your Royall Progenitors have reigned over this land for many ages past, so it is our hearts desire and prayer vnto God that the Government may be continued in the same line throughout the generations that are to come ; And it is matter of no small joy vnto ws that when your Royall Father, to whom we wish many good and happie dayes, shall be gathered to his fathers, there wants not a man of his loynes to sitt vpon his throne and to swey the sceptre of these Kingdoms, which are now vnited not only vnder on King but in on League and Covenant. This land hath been alwayes

Letter to the  
Kings Majestie.

Letter to the  
Prince.

loyall to your Royall Father in the midst of many strange revolutions, what ever hes been secretly surmised or openly blazed to the contrarie; And we are assured that they intertaine no other thoughts towards your Hienes. Yet it is no small mater of greife vnto all in this Nation who are truly tender of your welfaire, that your Hienes should have had any measure of accession vnto that late vnlawfull and sinfull Engagement against the Kingdome of England, so destructive to Religion, the vnion betuixt the Kingdoms, and your owne honour and happines. It is no small mater so soone to have provoked the Lord by countenancing these wayes which the Lord hath declared him self so much displeased with; But we shall thinke that it hes rather proceeded from the suggestions and misinformationns of disaffected men then from any inclination in your self to make warre vpon these Kingdoms; And therefore wee pray your Hienes to be wise in heart, and to consider whose principles and interests yow owne, and whose counsells yow follow in the dayes of your youth. There hath been a great debate and sharpe contest in these lands now for ten years past betuixt the Popish, Prelaticall, and Malignant Party, and the well affected who first renewed the Nationall Covenant, (which wes formerly taken by your Hienes grandfather and his household, and by him enjoyed to be vniversallie taken through the Kingdome,) and afterwards entred into the Solemne League and Covenant betuixt the Kingdoms; And there hes been so much of the Lord seen in carying on his worke, fighting for his people, breaking the power and disappointing the purposes of adversaries many times heretofore, and of late in a more eminent way by defeating of that Army that invaded England vnder the conduct of Duke Hamilton, as may convince all how vnjustly they have troubled the peace of these Kingdoms, and how sore the Lord hath been displeased with their way. And albeit their eyes be not yet open to behold the Majestie of the Lord, yet we trust that God shall not so farre desert your Hienes as to give yow over to walk in the counsell of the vngodlie. And therefore from the sense which we have of our dutie as the servants of Jesus Christ, and the tender respect which we owe to your Hienes as heire of the Crowne, we doe seriously exhort your Hienes to be diligent in reading the Holy Scriptures, and

frequent in prayer for grace and vnderstanding, whereby yow may be acquainted with the power of the Gospel, and those things that concerne the Kingdom of the Son of God, who is Lord of Lords and King of Kings, may order your conversation aright in the fear of the Lord, and may discover and avoyde the snares of those who seeke not yow and your things, but themselves and their owne things; And we wish that it may be your Hienes care, as to avoyde the counsell and company of wicked men, so to make choyse of pious and faithfull men who may advyse yow to all things according to the Word of God; and that yow may inclyne to the approbation of the Lords worke and the love of his people, and prefer the interest of Jesus Christ vnto your owne.

‘Wee know that as all the actions of those who have entred in Covenant in these Kingdoms are misrepresented vnto your Hienes, so the League and Covenant itself. But we are persuaded there is not a better meane for securing the Kings Throne, and making of these Nations happie in the fruits of Religion, Righteousnesse and peace, then that your Royall Father and your Hienes should joyne in this League and Covenant, Which is the prayer and wold be the exceeding great joy of

Your Hienes most obedient servants and subjects,

THE COMISSIONERS

OF THE GENERALL ASSEMBLY.

*Edinburgh,*  
16 October 1648.

*Subscribed in their name by*

MR. ROT. DOUGLAS.’

This day a letter produced and read from the Provinciall of Drumfreis.

The next meeting the morne at 8 houres.

*Edinburgh, 17 October 1648.*

The brethren not being frequent thinke fitt to dissolve till the next quarterlie meeting.

*Edinburgh, 29 November 1648, post meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Robert Baillie: Mr. James Gutterie: Mr. John Annand: Mr. John Mackgill: Mr. John Knox: Mr. Alexander Livistoun: Mr. Robert Elliot: Mr. Thomas Wilkie: Mr. Robert Young: Mr. Thomas Henderson: Mr. James

Ferguson : Mr. Patrik Colvill : Mr. Robert Ker : Mr. David Forret : Mr. John Smyth : Mr. Samuel Rutherford : Mr. John Livistoun : Mr. Walter Grege : Mr. Alexander Dickson : Mr. Ephram Melvill : Mr. George Leslie : Mr. Kenneth Logie : Mr. John Chalmers : Mr. Thomas Wassie : Mr. David Auchterlonie : Mr. John Sinclair : Mr. John Duncan : Mr. Hew Kennedy : Mr. Patrik Gillaspie : Mr. John Home : Mr. Mungo Law : Mr. James Hamiltoun. **ELDERS.**—Eglingtoun : Balmerino : Angus : Niddrie : Libbertoun : Whitbank : Dundas : Rickertoun : Sir James Hacket : Dudistoun : Mr. Robert Barclay : Mr. Alexander Peirson : Mr. Thomas Murray : George Porterfeild : Mr. Robert Burnet : James Sword : William Broune.

Moderator.

After incalling vpon the name of God by Mr. Robert Douglas, last Moderator, the said Mr. Robert, Mr. Samuel Rutherford, and Mr. John Livistoun being listed, Mr. Robert was chosen Moderator of this Session during the absence of Mr. George Gillaspie.

Committee.

The Commission appoynts for a Comittee to consider what matters shall be now treated and proponed to this meeting Messrs. Samuel Rutherford, John Livistoun, John Smyth, James Gutterie, Robert Baillie, Patrik Gillaspie, Walter Greg, Robert Ker, John Duncan, James Hamiltoun, David Forret, Mungo Law, Thomas Wassie, John Home, James Ferguson, James Nasmith, Libbertoun, Mr. Alexander Colvill, Mr. Alexander Peirson, Mr. Robert Burnet, James Sword, Mr. Thomas Murray, with the Moderator.

This day a letter from the Comissioners at London produced and read ; Tenor quherof followes :—

Letter from the  
Commissioners  
at London.

‘**RIGHT REVEREND AND MUCH HONOURED,**—Though we have little wherewith to acquaint you in the maters intrusted to ws, yet we could not be altogether silent at this tyme. Wee have not as yet sitten in the Assembly of Divynes at Westminster, for they have not been a quorum since our comeing hither ; And though there had beine a full number, yet we could not be with them, in respect the Houses have been so much taken vp about the bussnies of the Treaty as they have not yet heard the report of the Comittee at Derbyhouse, and seene the copy of the letter directed to the Assembly of Divynes, which was thought expedient to be first presented to them at this tyme, together with our comission, after so long an interruption of the ordinary way of correspondence, before we should deliver the originall to the Assembly. Neither know we what work

they have to go about, except the quærees<sup>1</sup> and question of vsury lately propounded to them.

‘Wee have further thought fitt to signifie to you that the Treaty with the King is like to close and take effect, his Majestie having so farre condescended to them in civill matters as there remains small difference: but the Covenant is vtterly slighted, and Episcopacy only suspended for three yeares; And there is no thing done touching the interest of Scotland and preservation of the peace and vnion betuixt the Kingdomes. Wee have formerly represented to those whom it doth most concerne the necessitie of sending speedilie hither Commissioners for the good of the cause and preservation of the interest of our Nation, which we wish they may seriously and seasonably lay to heart; And when they come, wee hope yee will thinke it expedient to send some of your number: All which wee leave to your consideration, and remaine,

Your most affectionat brethren to serve yow,

Westminster,  
the 17th of November 1648.

Subscribitur, Mr. ROBERT BLAIR,  
JO. CHEISLIE.’

Direct: *For the right reverend the Commissioners of the Generall Assembly of the Kirk of Scotland mett at Edinburgh.*

A letter from the Province [of Fife] produced and read; Tenor quherof followes:—

‘RIGHT REVEREND AND DEARLY BELOVED IN THE LORD JESUS,— Amongst the many and great mercies which our Lord hes from time to tyme manifested towards his Church in this land, we cannot but acknowledge this as a very singular one, which ought never to be forgotten by any of ws, or of the people of God, that in a time of such difficulties as this Church was involved in of late, he hes been pleased to make yow, who were set vpon the watch tower, so providentlie to forsee and faithfully to give warning of the dangers to persones of all ranks and conditions, And that he hes also given so evident and

Letter from the  
Provinciall of  
Fife.

<sup>1</sup> The reference is to the famous ‘Erastian Queries’ propounded by the English House of Commons to the Westminster Assembly, and to the request made by them for a definition of ‘usury,’ included by the Assembly in the Original Draft of the Larger Catechism among the sins forbidden in the Eighth Commandment.

glorious testimonie to your paines and labours for his owne glorie and safetie of his poore Church, by terrible things in righteousness, against the despysers of his counsell holden forth by yow. Wee are confident, without all doubt, that yow are sensible of the great ingagement, hereby layed vpon yow, not to wearie in such well-doing, but more and more to improve your selves in that trust committed to yow, as to prevent and obviat in your way all designes and plots, that men who will not see the Lords hand when it is lifted vp against them may yet contrive and pursue against the cause of God in these Kingdoms, so also to discover and take order with such men, especially in the Ministrie, as may be found in the time of the late woefull defectione and evill courses to have been complying with and acting in a divisive way for the justifying and advancing of the same; of which sort we are sorrie that so many are likely to be found in the land; Though, with all, we cannot but adore divine dispensation, which hes suffered them to vent them selves at such a tyme, that they might be made manifest that they were not all of ws. We have been of some dayes even in our severall places hearing, and since our assembling here more clearly and certainly informed, that, in our neighbouring Province of Perth, sindrie brethren are found that in and about the time of the late Generall Assembly, in clandestine meetings, have drawn vp and subscribed papers which they purposed to have given in to the Assembly, tending to compliyanse with the sinfull Engagement. Vpon which occasion we did enter into an impartiall search of our selves, posing everie man verie solemnly, lest that any such evill workers should be amongst ws also; But, blissed be God, we found none at all; Which thing we thought fitt to communicatt vnto your wisdomes, the rather to stope the mouthes of such men as might be readie for their owne ends to give out reports of this kinde of any in our Province. Neverthelesse, accounting ourselves as being members of the body, much interested and concerned in the welfaire of the whole Church, we thought it incumbent to ws now assembled together to signifie to yow our deepe sense of such courses in others, and our desire that ye would, with all convenient diligence and zeale, goe about to discover and take ordour with the guiltie, according as the importance of the mater requires. Truelie we cannot but say

that in our judgement they, whatever they be, have not only condemned the proceedings of the late Commission so vnamously approved by the Generall Assembly, but also verie grievously violated our solemne Covenants, foullie counterveened their owne publick Supplications given in to the Parliament against the late Engagement, and finallie endeavoured a most dangerous rent and schisme in the Church of Christ. But knowing well that your wisdomes are able to see more therein then we possiblie can, we crave pardon for suggesting this much, and comitting you and your counsells to the direction and blessing of the Lords Spirit, Wee rest,

Your verie loving brethren in the Lord Jesus.

*Cowpar,*  
1648.

*Subscribitur,*

SAMWEL RUTHERFURD, *Moderator.*'

The next meeting the morne at 10 houres. .

*Edinburgh, ultimo Novembris 1648, ante meridiem.*

*Sederunt:—MINISTERS.—*Mr. Robert Douglas, *Moderator.* Mr. John Mackghie: Mr. John Knox: Mr. Mungo Law: Mr. John Weir: Mr. John Lawder: Mr. Robert Ker: Mr. James Hamiltoun: Mr. George Leslie: Mr. Thomas Wassie: Mr. Ephram Melvill: Mr. Alexander Livistoun: Mr. David Auchterlony: Mr. John Livistoun: Mr. William Foullertoun: Mr. Robert Fairlie: Mr. James Nasmyth: Mr. Robert Traill: Mr. John Duncan: Mr. James Gutterie: Mr. Thomas Wilkie: Mr. Alexander Dickson: Mr. Patrik Colvill: Mr. David Forret: Mr. John Sinclair: Mr. John Home: Mr. Keneth Logie: Mr. George Bennet: Mr. Thomas Henderson: Mr. Hew Kennedy: Mr. James Ferguson: Mr. Patrik Sharpe: Mr. Samuell Rutherford: Mr. Walter Greg: Mr. John Annand: Mr. Thomas Donaldson: Mr. Andro Duncason: Mr. Robert Elliot: Mr. John Chalmers: Mr. Robert Young: Mr. Patrik Gillaspie: Mr. Andro Wood. *ELDERS.—*Marques Argyles: Cassills: Lothian: Borthwik: Torphichen: Elcho: Burley: Lord Advocat: Craighall: Sir Charles Erskein: Nidrie: Libbertoun: Englistoun: Dundas: Sir James Hacket: Rickertoun: Whitbank: Sir James Stewart: Mr. Alexander Colvill: Mr. Alexander Peirson: Mr. Robert Burnet: Mr. Thomas Murray: George Porterfeild: Mr. James Campbell: Lawrence Henderson: Mr. Robert Barclay: William Glendoming: James Sword: John Boiswall: William Broune: Sir William Carmichael: Dudistoun: Robert Broune: Gideon Jack.

This day the Lord Marques of Argyle produced a paper from the Comittee of Estates, authorizing his Lordship, the Earles of Cassills and Lothian, the Lord Advocat, Libbertoun, Collonell Scott, and vthers, to make report of their proceeding; And the said Lord Marques and Lord Advocat made report of the proceedings of the Comittee of Estates in relation to the

Correspondence  
with the Com-  
mittee.



English forces; As also they produced letters from the King, and other papers to be comunicat to them for correspondence.

Committee.

The Commission appoynts the Comittee named yesterday to consider the report made of the proceedings of the Comittee in relation to the English forces, and what is fitt to be done therevpon, and to consider the papers produced, and to report their opinions; As also to consider the Reference from the Synod of Lothian concerning the scandall of compliance with Sectaries; As also to consider the divisive supplicatiouns,<sup>1</sup> and to report.

The next meeting at 2 afternoon.

*Eodem die, post meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Robert Baillie : Mr. John Weir : Mr. John Knox : Mr. Robert Ker : Mr. Alexander Dickson : Mr. Robert Traill : Mr. Walter Greg : Mr. Andro Donaldson : Mr. Robert Young : Mr. Samuell Rutherford : Mr. Fredrick Carmichaell : Mr. James Gutterie : Mr. John Lawder : Mr. John Mackghie : Mr. James Ferguson : Mr. Patrik Colvill : Mr. Patrik Fleeming : Mr. James Nasmyth : Mr. William Foulertoun : Mr. John Livingstoun : Mr. George Hutcheson : Mr. Kenneth Logie : Mr. Thomas Wassie : Mr. David Forret : Mr. David Auchterlony : Mr. Thomas Henderson : Mr. Alexander Livistoun : Mr. Thomas Donaldson : Mr. John Smith : Mr. Patrick Sharpe : Mr. Andro Wood : Mr. Andro Dunkison : Mr. Patrik Gillaspie : Mr. John Chalmers : Mr. George Bennet : Mr. Ephram Melvill : Mr. Thomas Wilkie : Mr. John Home : Mr. Hew Kennedy : Mr. John Sinclair : Mr. William Row : Mr. John Duncan : Mr. James Hamiltoun : Mr. Robert Elliot : Mr. George Lesly. ELDERS.—Eglington : Angus : Balmerino : Borthwick : Torphichen : Dundas : Inglitoun : Libbertoun : Whitbank : Mr. Alexander Colvill : Mr. Alexander Peirson : James Sword : Mr. Robert Burnet, Yor. : Mr. Robert Barclay : Mr. Thomas Murray : John Boiswall : William Browne : William Russell.

This day Mr. Robert Douglas removed, and Mr. John Livistoun chosen Moderator in the mater of transportations of Ministers at the instance of the toune of Edinburgh.

This day the sumonds at the instance of the toune of Edinburgh against Mr. Hew M'Kell continued vntill Twesday.

Mr. Walter  
Comrie.

The Commission of Assembly continues the summonds raised at the instance of the Parochiners of Innerary for transportation of Mr. Walter Comrie vntill the 10th of Januar next, And appoynts the said Mr. Walter and the Parochiners of St. Leonards to be cited to the said day, with certificatioun, if they

<sup>1</sup> See below on p. 123.

appear not, the Comission will proceed to judge and determine finally the said matter, their absence notwithstanding.

The Committee to meet the morne at 8 heures, and the Commission to meet at 2 heures in the afternoon.

*Edinburgh, 1° Decembris 1648.*

*Sederunt*:—**MINISTERS**.—Mr. Robert Douglas, *Moderator*. Mr. Robert Baillie: Mr. James Gutterie: Mr. Patrik Gillaspie: Mr. Robert Young: Mr. Walter Greg: Mr. John Home: Mr. Andro Donaldson: Mr. John M'Ghie: Mr. John Weir: Mr. Patrik Colvill: Mr. Robert Elliot: Mr. William Fullertoun: Mr. John Knox: Mr. Andro Wood: Mr. Thomas Wassie: Mr. Samuell Rutherford: Mr. John Livistoun: Mr. John Annand: Mr. James Nasmyth: Mr. Thomas Henderson: Mr. George Hutcheson: Mr. James Ferguson: Mr. David Forret: Mr. Robert Ker: Mr. Hew Kennedy: Mr. David Auchterlony: Mr. George Lesly: Mr. Robert Traill: Mr. John Lawder: Mr. Patrik Fleeming: Mr. Thomas Donaldsone: Mr. Fredrick Carmichell: Mr. John Givan: Mr. James Hamiltoun: Mr. Mungo Law: Mr. Ephram Melvill: Mr. Andro Auchinleck: Mr. George Bennet: Mr. Alexander Livistoun: Mr. John Chalmers: Mr. Patrik Sharpe: Mr. John Sinclair: Mr. Thomas Wassie: Mr. Kenneth Logie. **ELDERS**.—Marques of Argyle: Eglington: Cassills: Borthwick: Lothian: Angus: Balmerinloch: Torphichen: The Lord Advocat: Craighall: Nidrie: Scotiscraige: Dundas: Libbertoun: Inglishtoun: Whitbank: Sir James Stewart: Mr. Alexander Peirson: Mr. Robert Burnet, Yor.: Mr. Robert Barclay: James Sword: John Boiswall: Lawrence Henderson: Mr. Thomas Murray: William Browne: John Browne.

Concerning the Declinator proponed in the mater of the transportation of Mr. James Ferguson to Edinburgh against the members of the Presbyterie of Edinburgh and the Ministers and Elders of the Session of Edinburgh, as being parties interested in the said mater, The Comission having taken the same to consideration, Repells the said Declinator against the members of the Presbyterie, and sustaines it against the Ministers and members of the Session of Edinburgh, who are members of this Commission.

Concerning the transportatioun of Mr. James Ferguson, Minister of Kilwinning, to Edinburgh, the said Mr. James appearing personallie, and the Earle of Eglington and others of the said Parochine, and the Lord Provest, Baillies, and Ministers of Edinburgh, and the reasons *hinc inde* given for and against the said Mr. James his transportation being seriously considered, the Commission of Assembly, according to the power given to them by the late Assembly, Transports the

Mr. James  
Fergusones  
Declinator.

Mr. James  
Fergusones  
transportatioun  
to Edinburgh.

said Mr. James Ferguson from Kilwinning to Edinburgh, and appoynts him to remove and settle him self in the charge of the Ministerie at Edinburgh with all convenient diligence.

Transportation  
of Mr. George  
Hutchesone to  
Edinburgh.

The Commission of the Generall Assembly, according to the power given vnto them, having seriously considered the summons of the towne of Edinburgh for transporting Mr. George Hutcheson to Edinburgh, As also the summons at the instance of the Paroch of Bruntlyland for his transportatioun to that kirk, with the reasons given in for his transportatioun to the said charges respectively; As also the reasons given in against his transportatioun; And having heard the Lord Provost, Baillies, and Ministers of Edinburgh, and Sir James Melvill, George Gardine, and others of the Paroch of Bruntland, and the said Mr. George Hutchesone and diverse of the congregation of Kilmonell; And having found after mature deliberation, according to the power given to them by the late Assembly, the reasones of the towne of Edinburgh most pregnant, Doe therefore transport the said Mr. George Hutcheson to Edinburgh from Kilmonell, and appoynts him to remove and settle himself in the charge of the Ministrie in the said towne of Edinburgh betuixt and the next quarterly meeting.

The next meeting the morne afternoone.

*Edinburgh, 2 Decembris 1648, post meridiem.*

*Sederunt:* MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Samuel Rutherford: Mr. John Levistoun: Mr. Fredrick Carmichaell: Mr. George Hutcheson: Mr. John Chalmers: Mr. Andro Wood: Mr. George Bennet: Mr. William Foullertoun: Mr. John Lawder: Mr. Kenneth Logie: Mr. David Auchterlony: Mr. Mungo Law: Mr. John Giffan: Mr. Patrik Colvill: Mr. Samuel Rutherford: Mr. Walter Greg: Mr. Thomas Wilkie: Mr. John Smith: Mr. Robert Traill: Mr. James Hamiltoun: Mr. Andro Affleck: Mr. James Nasmyth: Mr. Thomas Donaldson: Mr. John Knox: Mr. Andro Wood: Mr. Alexander Livistoun: Mr. Thomas Henderson: Mr. Robert Young: Mr. James Gutterie: Mr. John Home: Mr. David Forret: Mr. John Annand: Mr. Andro Duncan: Mr. William Jamieson. ELDERS.—Lord Angus: Nidrie: Dundas: Libbertoun: Inglishtoun: Whitbank: Dudistoun: Mr. Alexander Colvill: Mr. Alexander Peirson: Mr. Robert Burnet, *Yor*: Mr. Thomas Murray: George Porterfeild: Mr. Robert Barclay: James Sword: Gideon Jack: John Boiswall.

Transportatioun  
of Mr. William  
Fraser to In-  
nernes.

The Commission of the Generall Assembly having considered the desire of the Minister and Session of Innernes for transporting Mr. William Fraser, Minister at Killernain, to the charge of the Ministerie at Innernes, And having at length

heard Mr. Johnn Annand, Minister at Innes, for himself and the Session and Paroch of Innes, and the said Mr. William for himself, personallie present, being also heard, and his Parochiniers not appearing, and having considered the reference of the late General Assembly in respect of the knowledge the said Mr. William hes in the Irish tongue, Doe therefore transport him from Killernain to the Ministerie at Innes for preaching and exercising other Ministeriall dewties, especiallie to these that have the Irish language, and ordaines him to remove himself from his present charge to Innes with all possible diligence.

This day Mr. William Purdie, expectant, appearing personallie to answer for his taking on to serve as a Minister in the late Engagement, The Commission having heard him in the said matter, discharge him from preaching, and continues the mater to be further tryed to the next General Assembly.

Mr. William Purdie.

The Commission vnderstanding that on Mr. Patrik Mortimer served [in] the Ministerie in the late vnlawfull Engagement, and that he is now within the Province of Angus and Merns, recomends to Mr. Andro Affleck to cause try where he is and cite him over to this Commission.

Mr. Patrik Mortimer.

Concerning the transportation of Mr. Robert Traill, Minister at the Elie, to Edinburgh, the said Mr. Robert appearing personallie, and diverse of the Paroch of Elie, and the Lord Provost, Baillies, and Ministers of Edinburgh, and the reasons *hinc inde* given for and against the said Mr. Robert his transportation being seriously considered, The Commission of Assembly, according to the power given to them by the late Assembly, transports the said Mr. Robert from Elie to Edinburgh, and appoynts him to remove and settle himself in the charge of the Ministerie in the said toune of Edinburgh betuixt and the next quarterly meeting.

Transportation of Mr. Robert Traill to Edinburgh.

This day Mr. Andro Affleck produced a letter from the Provincial Assembly of Angus and Mearnis; Tenor quherof followes:—

‘RIGHT REVEREND AND WORTHIE BRETHREN,—Wee cannot bot at all occasions offered to ws witness our inward sense of the singular good and benefite we have receavit and still doe resave from the hand of our God by means of your watchfulnesse,

Letter from Provinciall of Angus and Mernes.

faithfulnes, and seasonablenes of warning, which God hath made much instrumentall for our behoofe, And we find it lyeing vpon vs heartily to blesse God in your behalff, and to put vp daylie for yow to the throne of Grace, and still doe put in for the continuance of that comfortable correspondence, the sweat of which we have so liberallie teastit of, and sall, be Gods grace, cheirfullie intertain on our parts. And we give this on evidence of our endeavours to that purpose from this our meeting, which is the serious search we have made concerning that divisive Supplication crossing the work of God, and favouring the late vnlawfull vndertaking in warre, (against which yow and all the faithfull in the land hath given so frequent warnings, and with which now God hes witnessed his great displeasure,) whither this guilt sould be found amongs vs, and our fingers fouled with that pollution, We have questioned all the members of our meetings publickly by some interrogatours as whither they had seen or signed, had been accessorie in privat or in publick, had been delt with by any person or persones quhatsoever, or any purpose of that sort communicat vnto them, and found no thing; For which God hes put a song of praise vnto our mouthes, save a discoverie of some articles made by some, which we conceave to be the ground work of that Supplicatioun, and the names of those from whose hands they did come are condisconded on, and farder tryall of that ordered to be made by our severall Presbyteries which<sup>1</sup> all diligence, with which your wisdomes sall be acquainted when the mater sall come to farder rypnes; And we expect yow will not be wanting to impaire to vs what discoverie has been made be yow in the businesse. And if the depth of this, as of many other misterious wickednesse, be yet found out be yow, that it may be to vs an new mater of rejoyceing to trace Gods goeing in his Sanctuarie heir, who is wonderfull in counsell, and excellent in working, and much to be magnified for discovering the depths of Satan. Wee long to hear from yow, and wold particularly know what is now the result of your thoughts concerning the celebratioun of the Lords Supper throughout the land, and the maner of satisfaction to be given

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<sup>1</sup> *sic.* for *with*.

by the guilty actors and compliers of the late vnlawfull Engagement before such favour be allowed to them. Thus beseeeking God Almighty to manifest himself moir and moir by yow, and that all eyes who are fastned vpon yow may have still reason to say, Verrilie God is among yow indeed, Wee rest  
Your loving brethren in our Lord,

## THE PROVINCIAL ASSEMBLY

OF ANGUS AND MEARNIS,

*Forfar,*  
1 November 1648. *Subscribitur, Mr. JOHN BARCLAY, Moderator.*

The Comittee to meet at 2 houres; the Comission vpon Monday after sermon.

*Edinburgh, 4 Decembris 1648, ante meridiem.*

*Sederunt:—MINISTERS.—Mr. Robert Douglas, Moderator: Mr. John Levistoun: Mr. Robert Baillie: Mr. Andro Affleck: Mr. John Weir: Mr. Thomas Wilkie: Mr. Robert Young: Mr. James Nasmyth: Mr. Fredrick Carmichell: Mr. James Gutterie: Mr. John Nevey: Mr. Thomas Henderson: Mr. Alexander Dickson: Mr. Andro Wood: Mr. Andro Duncanson: Mr. James Hamiltoun: Mr. George Lesly: Mr. John Annand: Mr. George Bennet: Mr. Robert Traill: Mr. Kenneth Logie: Mr. John Givan: Mr. Walter Greg: Mr. John Chalmers: Mr. George Hutcheson: Mr. John Lawder: Mr. David Auchterlony: Mr. Patrik Colvill: Mr. John Smith: Mr. Thomas Donaldson. ELDERS.—Lord Angus: Wariestoun: Arthur Erskine: Libbertoun: Whytbank: Mr. Robert Barclay: George Porterfeild.*

This day Sir Arthur Forbes, appearing personallie, having acknowledged his offence in having charge in the vnlawfull Engagement, and desiring earnestly his publick satisfaction might be resavit, and giving in a publick confession vnder his hand of the said offences, The Comission taking the samen to serious consideration, together with the report of the brethren appoynted to confer with him, and finding that the said Sir Arthur is vnder verie great sence of his said offence, and that his mynd seemed to be extremlie weighted therewith, Therefore, in respect of his present extraordinarie condition, thinke fitt that he be now received to make publick acknowledgment of his said offence, together with these other offences and scandalls which he is charged with, And that Mr. Mungo Law receive his publick satisfaction before the congregation, And appoynts his said confession, now subscribed judicially, to be put vpon record; Tenor quherof followes:—

Act for Sir  
Arthur Forbesse  
his satisfaction.

Sir Arthur  
Forbesse his  
Confession.

‘I, Sir Arthur Forbes, after due consideration of the nature of the late Engagement in warre against the Kingdome of England, and of the eminent testimony of the Lords wrath against it, in the defence of these who ingaged therein; And having also considered the course pursued and promoted by these in and about Sterling vnder the comand of the Earle of Lanerk and George Monroe, and the Lords hand against myself in the jurney vndertaken by me to goe beyond seas before I had given publik evidence of my repentance for my accession vnto and bearing charge in both, Doe ingenuously, as in the Lords sight, professe that I am convinced of the vnlawfulness of both, as contrarie to the Word of God and to the Solemne League and Covenant, not only in regard of the miscarriages of those that were imployed therein, but also in respect of the grounds contained in the Declarations of Parliament and Comittee of Estates for carying on of the same; And therefore, professing my vnfaigned sorrow for my guiltines by so great accession vnto the same, Doe renunce and disclame both, as contrair to the Word of God and Solemne League and Covenant, and destructive to Religion and the worke of Reformation; And promises in the power of the Lords strength never againe to owne any of these or the lyke courses, but to adhere to the Nationall Covenant of this Kingdome, and the Solemne League and Covenant betuixt the Kingdomes, and to be honest and zealous for promoveing all the ends thereof, as I sall be called there vnto of God. Subscribed the 4th of December before the Comission of the Generall Assemblie,

*Subscibitur,* ARTHUR FORBESSE.’

The next meeting of the Commission at 2 houres.

*Edem die, post meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*: Mr. John Annand: Mr. James Gutterie: Mr. James Naasmith: Mr. Robert Traill: Mr. George Leslie: Mr. David Auchterlony: Mr. Andro Wood: Mr. Patrik Colvill: Mr. Robert Baillie: Mr. James Ferguson: Mr. William Foullerton: Mr. Alexander Livistoun: Mr. James Hamilton: Mr. Walter Greg: Mr. Andro Affleck: Mr. John Lawder: Mr. Thomas Donaldson: Mr. John Sinclair: Mr. Robert Young: Mr. David Forret: Mr. Thomas Henderson: Mr. George Hutcheson: Mr. John Home: Mr. John Giffan: Mr. Alexander Dickson: Mr. Patrik Sharpe. *ELDERS*:—Whitbank: Mr. Alexander Peirson: Mr. Robert Burnet, *Yo.*: Lawrence Henderson: Robert Browne.

Question being moved to the Comission of Assembly whither persones debarred from receiving the Covenant and from the Sacrament for their accession to the Engagement by the late Act of the Comission can be received to publick repentance for any other publick scandalls, It is answered Negativé; And the Comission advyseth intimatioun to be made in the congregatiouns that their publick repentance is suspended because of their accession to the Engagement vntill the Generall Assembly.

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The Explana-  
tioun of the Act  
of the 6 October  
for renewing the  
League and  
Covenant here  
omitted is to be  
found afterwaird  
in the session  
vpon 5 of this  
moneth, post  
meridiem.

Anent the draught of the Supplications which were to have been presented to the late Generall Assembly now examined, viz., of the Petition from the Presbyterie of Sterlyn, of a Petition subscribed by some of the brethren of Lythgow, and the copie of the drawght of the Petition of some brethren in the Presbyteries of Edinburgh and Hadingtoun, The Comission of the Generall Assembly considering the mater of the said Petitions, and comparing them with the occasion thereof, the tyme, the posture of affaires then, and the way of conveyance thereof, Doe conceive that it hath been a dangerous, malignant designe, tending to the divyding of this Kirk, and hindering the worke of Reformatioun; And therefore it is the judgement of the Comission that the whole bussines, and such as have had hand in these or the like Petitions, should be further searched and tryed.

Concerning the  
divisive Peti-  
tions.

The Commission of Assembly recomends the education of James Grahame, son to James Grahame, sometyne Earle of Montrose, to the Masters of the Vniversities of St. Androis or Glasgow or of the Colledge of the new towne of Aberdein, or ather of them that his tutours and friends sall thinke fitt to send him to; Recomending also to the said Masters and to the Ministers of these tounes respectivé to take speciall inspection of the education of the said youth, and to try the qualificatioun, affectioun and conversatioun of any governour that shall be with him.

James  
Grahames sone.

The nixt meeting the morne at 10 houres.



*Edinburgh, 5 Decembris 1648, ante meridiem.*

*Sederunt:—MINISTERS.—*Mr. Robert Douglas, *Moderator*: Mr. Mungo Law: Mr. James Gutterie: Mr. Robert Baillie: Mr. George Bennet: Mr. Patrik Gillaspie: Mr. John Annand: Mr. Patrik Sharpe: Mr. John Livistoun: Mr. Alexander Dickson: Mr. Thomas Wilkie: Mr. Robert Young: Mr. Thomas Donaldson: Mr. James Hamiltoun: Mr. John Smith: Mr. Fredrik Carmichaell: Mr. Andro Auchinleck: Mr. James Ferguson: Mr. David Auchterlonie: Mr. John Lawder: Mr. John Sinclair: Mr. Andro Duncason: Mr. James Nasmyth: Mr. John Home: Mr. George Leslie: Mr. John Giffane: Mr. Thomas Henderson. *ELDERS:—*Argyle: Lord Angus: Lord Advocat: Arthur Erskene: Nidrie: Libbertoun: Dudistoun: Whytbank: Mr. Alexander Peirson: Mr. Robert Burnet, Yo': Mr. Robert Barclay: George Porterfeild: Mr. Thomas Murray: William Browne: Gideon Jack.

Education of  
the Hieland  
boyes.

The Comission appoints that in the letter to Presbyteries they be desired to send to Mr. James Hamiltoun the money appoynted by the Assembly for educatioun of Hieland boyes, And in the meane tyme thinke fitt that the brethren that sall goe in to the Committee of Estates vpon any other occasioun present humbly the desire of the Comission to their Lordships for giving order for some money presently for their present necessitie of the said Hieland boyes and the intertainment of so many of them as are now at schooles.

Mr. Hew  
Mackale.

The Commission of the Generall Assembly continues the sumonds raised at the instance of the toune of Edinburgh for transporting Mr. Hew M'Kaell vntill the 10th of January nixt, And appoints the said Mr. Hew and the Parochiners of Irving to be cited to the said day, with certificatioun if they appeare not the Commission will proceed to judge and determine finallie the said matter, their absence notwithstanding.

Mr. Alexander  
M'Clean.

Concerning the petition of Mr. Alexander M'Clean, Student in Divinitie, that in respect of his knowledge in the Irish tongue he may be intertained at some colledge, The Comission vnderstanding that the Presbyterie of Ersiltoun have not yet a bursare, Doe therefore appoynt a letter to be written recomending the said Mr. Alexander to them to be intertained as their bursare.

*' The Humble desires of the Comission of the Generall Assembly vnto the Right Honourable the Committee of Estates.*

Desires to the  
Committee of  
Estates.

'Vnderstanding that your Lordships have resolved to send vp Commissioners in reference to the dewtie<sup>1</sup> betuixt the Kings

<sup>1</sup> Possibly for *Treatie*. The English Houses had in November been making

Majestie and the Parliament of England, And conceiving that Religion and the worke of Vniformitie and the League and Covenant are speciallie concerned therein, our humble desire is that they may be instructed by your [Lordships] to take speciall care of those things that concerne Religion, and to endeavour the carrying on of the worke of Vniformity in all the three Kingdoms, and the establishing and renewing of the League and Covenant in the Kingdome of England and Ireland, and that in all those things they keepe correspondence with our Comissioners now at London.'

This day the Earle of Lowdown, Lord Chancellor, appearing Lord Chancellor. personallie, and verie sensibly acknowledging his sinne and offence in complying with the Kings concessions at the Isle of Wight, and giving in his confession in writt, and humbly submitting him self to censure, The Comission having read and considered the said paper, and finding thereby, and by his Lordships expressions and cariage before them, that he was verie sensible of his said miscariage, and therfore were well satisfied with his Lordships Confession, and appoynts the same to be put in record, And will take to their owne consideration what is yet further to be done by his Lordship for removing the great and publick scandall of his said miscariage. Tenor of the Declaration and Confession given in by the said Lord Chancellor follows:—

*'To the right honourable and Reverend Comissioners of the General Assembly, the Humble Acknowledgment and Remonstrance of John, Earl of Loudoun, Lord Chancellor of Scotland.*

'As it is the duetie of all men to remarke the dispensation of The Lord Chancellares Acknowledgment. Divine Providence in the government and revolution of affaires in the times wherein they live, so it is (in a more speciall maner) the duetie of those who are in places of publick trust, whose actions are examplary and more narrowly looked into, to examine and observe what concerns them selves; Which gives me occasioun at this time (after these Kingdoms have for a long tyme been exercised with so great troubles) to make this

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a last attempt to obtain from the King terms acceptable to the Presbyterian majority, but had not invited the co-operation of the Scotch.

addresse to the right honourable and Reverend Commissioners of the General Assembly, who with so much wisdom and faithfulness have given warning of the dangers and duties of the time, and have set a part and devoted some dayes for a solemne Acknowledgement of publick sinnes and breaches of the Covenant, with an Engagement to the duties therein contained.

‘ I shall therefore in this relation and Acknowledgment, in the first place, briefly show what was my deportment and proceedings with the King and the Parliament of England in discharge of the commission and instructions I had from the Committee of Estates of this Kingdome ; Next, I shall confesse my error and fault in complying with the Kings concessions and desires at the Isle of Wight, and my unfained griefe for the same ; And, lastlie, with all thankfulness acknowledge the goodness and great mercie of God in keeping me free from the late unlawful Engagement against England.

‘ When I went last into England, the honourable Houses of the Parliament of that Kingdome being then about the framing and sending of new Propositions of peace to the King, I did (with the concurrence of the rest of the Commissioners from this Kingdome, according to our trust and instructions) use my best endeavours for removing the distractions and unnatural waies of these Kingdoms, did show the difference of our judgment from and exceptions against these Propositions, which were chiefly in Religion, the interest of the Crowne, and in the Union and joynt concernment of the Kingdomes ; and left no lawfull means untried for settling of Religion and an happy peace, according to the Covenant and Treaties betwene the two Nations. To all which the Houses were pleased to returne no answer ; but, notwithstanding all the applications made to them, and all the arguments we could use, they went on and adhered to their new Propositions, by which the Covenant, formerly acknowledged to be the soveraigne remedy for recovering those embroiled and bleeding Kingdoms, and the strongest bond of Union between the two Nations, was laid aside, and the work of Reformation and Uniformitie, after so great a progresse, not only obstructed and retarded, but also a liberty thereby granted for all sorts of service and worship of God, and for the exercise of all such religious duties and exercises as every person shall please, was desired to be established by law. And

with all, considering that what corruptions take root in the Church of England (as was formerly declared by the Parliament of England and their Commissioners) may quickly spread their venome and infection into the neighbour Church of Scotland, I did conceive Religion (which is the strongest foundation of the safety and happines of both Kingdoms, and was the chief cause of Scotlands Engagement in warre with England) to be in no lesse, but rather greater danger than ever.

‘The hard vsage and imprisonment of the King, and the danger which did threaten his person and Monarchicall Government, And apprehending in what confusion and danger this Kingdome would be cast into, either by the want or change of that Government, which we and our ancestors had so long lived vnder, And the small regard was had to our desires for the vnion and joynt interest of the Kingdomes, though formerly acknowledged to be of great vse, and the chiefe strength of both, And weighing with all how fruitlesse our most earnest endeavours with the honourable Houses had proved for curing those evils, we made our addresses and applications to the Kings Majestie, with whom we vsed all the arguments we could to move him to establish the Covenant, and settle Religion and peace according to the desires and Propositions of both Kingdomes: Concerning which lykewise the good Providence of God is remarkable, who hath since so ruled and directed the Councells of the Houses of the Parliament of England that they have thought fitt to returne to the same Propositions as a more hopefull meanes of agreement, and surer and better foundation of peace, then those Propositions we did dissent from. But finding that no intreaty nor persuasion of ours could prevaile with the King to grant further then was expressed in his concessions, And being exceedingly perplexed with the hard and dangerous condition that Religion, the King, and Kingdomes wer redacted vnto, I was tempted to a compliyanace with his Majesties concessions and desires to be presented to the Kirk and Kingdome of Scotland, not being oblidge to the further pursuance thereof vnlesse they were therewith satisfied; And withall, conceiving that the accepting of those concessions from the King at that time was no wayes exclusive of our endeavouring to insist for further satisfaction, nor of the Kings granting the same when he should be further

informed or convinced, I did, at my returne to Scotland with the rest of their Commissioners, give a true account to the Committee of Estates of our proceedings, and did communicat the same to the Commissioners of the Generall Assembly.

‘ Having thus, according to my best remembrance, stated and resumed what past in mater of fact, and what my deportment was, Be it far from me to flatter or justifie my self in the evill of my way, for he that covereth his sinnes shall not prosper, but whoso confesseth and forsaketh them shall have mercie. I doe therefore humbly and sincerely, as in the sight of God, acknowledge and confesse my great sinne in complying with those concessions and desires of the Kings at the Isle of Wight (which we had in charge from his Majestie to be represented to the Comittee of Estates in Scotland, to be made vse of as vpon the place we should judge most expedient, and to the Comissioners of the General Assembly so farre as did concerne Religion), as a breach of and departing from the rule of the Covenant, And that it is to me a matter of great grieve and deep sorrow, which lyes verie heavie vpon my spirit, and aggravats my fault that I (who have found so many proofes of Gods power and goodnesse in carrying on his worke throw greatest difficulties and against all opposition, and who have had so many experiences of his mercies and deliverance from dangers) was so faithlesse as to admitt or receive any Proposition or offer which did leave Religion and the Covenant in a condition of vncertantie and hazard, and for feare of any danger to the Cause, King, or Kingdome, did not trust God with the perfecting of his owne worke, as if it could not subsist or be caried on without humane policie and worldly meanes. And because it is not enough for such as are sensible of, and truely grieved for their sinne, to confesse the same, vnlesse they reallie forsake the evill of their way, I shall, by the grace of God and in his strength, be carefull for the future to avoyde the like offences, and shall to my vtmost power endeavour that the worke of Reformatioun and Vniformitie according to the Covenant may be carried on and perfected before all worldlie interest whatsoever. And as I have reason all the dayes of my life to walk humbly before God for my offence, and to be greived for the scandall which hath bene given or taken at my

deportement, so I cannot but with all thankfulness acknowledge the mercie and favour of God for discovering to me (after my returne into Scotland) the errors and evils of my way, and keeping me free from joyning in the late vnlawfull Engagement. For after the rest of the Comissioners and I had made a true report of our proceedings in England, and of his Majesties concessions, to the Committee of Estates, and did likewise communicate the same to the Commissioners of the General Assembly, and heard their exceptions against his Majesties concessions as not being satisfactorie, nor containeing any sufficient security to Religion; And considering that their just and necessary desires to that effect (which was the subject of many dayes conference and debate) were rejected, and the liberties and privileges of the Kirk (which all the subjects of this Kingdome are obliged by their Covenant and lawes of the Realme to maintaine) were in an high measure wronged and violated by the Parliaments assuming to themselves the antecedent judgement to determine maters of Religion without advise of the Kirk, who are the proper and competent judges thereof; The carrying on of that sinfull Engagement (against the testimonies and warnings of the faithfull servants of God in their free preachings to the Parliament) without agreeing vpon such a state of a question as might be the ground of a just and necessarie warre; The slighting of the offers of the Comissioners from the Parliament of England for joyning with this Kingdome in a Treaty with the King vpon the Propositions of both Kingdomes, which I knew was more suteable to his Majesties inclinations and desires for the preservation of his people then to enter in a new, dangerous, and vncertaine warre, till first all amicable wayes of preventing bloodshed were tryed: The casheering of the chiefe officers who had given testimony of their valour and faithfulness, and in putting such commanders in their places as had not given so good proofe of their affection and fidelity, with many other reasons, Did fully informe my judgement and convince my conscience of the vnlawfulness of that Engagement. And the members of Parliament, who had been most faithfull and constant for the Cause and Covenant, did dissent from and protest against the same in Parliament, wherein I did concur and joyne; Yet such was the violence of those who were the

chiefe carriers on of that Engagement, that they could not rest satisfied to have it approved and enacted by the votes of the major part of the Parliament, but resolved to force such members of Parliament as did reason and vote against it to consent, subscribe, and give active obedience to it and to all the other Acts and constitutions of the Parliament from which they had dissented in Parliament, as the most fitt and necessary remedy of the bygone and present evils and distractions of the Kirk and Kingdome, and for the preservation of Religion, Lawes, and Liberties thereof, and of his Majesties authority. And immediatly before the closing of the Parliament (when there was no tyme left for debate nor consultation) they brought in an Act and Band to be subscribed for that effect by all the members of Parliament, both present and absent, and by all the subiects and inhabitants of the Kingdome, with certificatioun that such as refuse or postpone and delay to subscribe the same shall be held as enemies and opposites to the comon cause, consisting in the maintenance of the true Reformed Religion, and of the Lawes and Liberties of this Kingdome, and his Majesties authority; then which there could not be a greater snare to involve the people in guiltines, and force the Members of Parliament (who had formerly voted against those Acts) into a manifest perjurie, having by the oath of Parliament sworne not to vote or consent to any thing but what to their best knowledge is most expedient for Religion, Kirk, and Kingdome; or, by their refusall to subscribe that wicked Band, to draw them vnder the guiltines expressed in the certificatioun, which amounts to treason: Against the iniquitie and absurditie of which Act, and of the oath injoynd to be taken by all the members of the Committee of Estates, I did reason and oppose as much as I could in Parliament, without any other answere and satisfaction but to put it to the question, by which it was sure to be carried. And at the rising of the Parliament, (being vpon Setterday the       day of Junij last), a meeting of the Committee of Estates was appoynted to be the next Monday for accepting their Comission, which was brought in to the Parliament, containing a verie vast and strange power, not only in matters civill, but to doe whatsoever that Committee should thinke fitt, even concerning the Reformation of Religion,

till it was opposed. And at that meeting these who were of the Committee were to take an oath to act for the Engagement and to subscribe the aforesaid Band, which since is declared by the Generall Assembly vnanimously to be vnlawfull and sinfull. And considering what an hard condition all (who desired to walk according to their former honest principles and vows in the Solemne League and Covenant) were brought into, there being no remedy for the time but either to act in a sinfull and wicked course or to suffer, I resolved to withdraw from their Councells meetings and Committees, choosing rather to suffer affliction with the people of God then for fear of hazard or hope of any favour to concurre in such a sinfull and mischievous course, And did live retired in the countrey till the oppression of that Committee and plunderings and cruelty of the souldiers against all the godly people in the land became insupportable. And when their Army in England was in the hight of their strength and pride, a new levie was resolved vpon to bring all their opposers into a perfect and vnresistable slavery; So as no thing was left but either to submit to an arbitrary military bondage, or leave the Kingdome and mens estates (and which is more to be valued then lives and estates) to leave the cause in hazard of ruine. In this extremity there was no time for longer deliberatioun, but it pleased God to make it His opportunity, wherein He stirred vp the hearts of His oppressed people to action, by which it pleased Him to worke their deliverance.

And lastly I doe professe in the sight of God that this acknowledgment of my offence and vindication of myself from joyning in the late vnlawfull Engagement is not for fear or favour of men, nor to lay imputatioun vpon any other man, nor any wayes to lessen my respect and loyaltie to the Kings Majestie. For they are and will be found best and faithfulllest servants to him who desire to serve God in the first place; And with that preference, to which all other relations and respect are subordinate and should be subservient, I shall ever according to the duetie of my place, and as a most loyall subject, be readie to the vtmost of my power to defend his Majestys Royall person and authority. Neither is this my humble acknowledgment for any politick end or private interest of my owne advantage, but meerely and sincerely for exoneration of my



conscience, that the scandall of my offence may be removed, that I may be reconceiled to God, and the better prepared to renew the Solemne League and Covenant, and by His grace and strength be more faithfull and stedfast in His cause, which I hope in life and death shall be my greatest comfort and joy.

*Subscribitur, LOUDOUN.*

The next meeting at 2 houres.

*Eodem die, post meridiem.*

*Sederunt:—MINISTERS.*—Mr. Robert Douglas, *Moderator.* Mr. George Leslie : Mr. John Livistoun : Mr. Robert Baillie : Mr. Thomas Wilkie : Mr. John Home : Mr. Fredrick Carmichell : Mr. John Govane : Mr. Patrick Sharpe : Mr. John Chalmers : Mr. James Hamiltoun : Mr. Patrik Gillaspie : Mr. Hew Kennedy : Mr. James Gutterie : Mr. Andro Affleck : Mr. Alexander Dick : Mr. Mungo Law : Mr. John Annand : Mr. James Nasmith : Mr. Thomas Donaldson : Mr. Andro Duncason. *ELDERS.*—Marques Argyle : Lord Torphichen . Lord Advocat : Lord Craighall : Dundas : Whitbank : Mr. Alexander Peirson : Mr. Alexander Colvill : Mr. Robert Burnet, younger : Lawrence Henderson : James Campbell : Mr. Robert Barclay : John Boiswell.

The Commission of the Generall Assembly, considering that the honourable Comittee of Estates have sent some of their number vnto them who did regrate that, as the Comittee of Estates were informed, they wer sclanderd as compliers with Sectaries, because of the comeing and stay of the English forces in this Kingdome; And having heard and considered the report made and reasons given of their cariage in reference to the comeing and stay of these forces, and having also considered their desire that the Comission sould give their judgement therein, and having found no thing furdre in the bussines then they conceive to have been truelie related by themselves, Doe returne this answer :—

Answer to the  
Committee of  
Estates in rela-  
tion to the  
calumnies of  
compliance  
with Sectaries.

That they doe not find in the cariage of the honourable Comittee of Estates, in reference to the comeing and stay of the English forces in this Kingdome, any just cause of offence or real ground of slander of compliance with Sectaries, and refers it to the Comittee themselves to judge whither it would not be expedient, for stoping the mouthes of Malignants, and satisfying of any others who happily<sup>1</sup> through want of informa-

<sup>1</sup> *Sic*, for haply.

tion may be mistaken, to clear their owne actions by some publik Information or Declaration concerning their cariage in these particulars.<sup>1</sup>

The Commission, considering that the report from the Committee of Estates, concentering their cariage in reference to the coming in and stay of the English forces, was but verball by the relation of the Lord Marques of Argyle and the Lord Advocat, Therefore, that the said report may be kept *in retentis* as the ground of their judgment vpon their cariage, they appoynt the brethren that goe in to the Committee to desire that the said Report and relation may be put in writt and given to our clerk.

‘REVEREND AND LOVING BRETHREN,—As wee doe comend and approve your diligence and care in the things comitted vnto yow, so we doubt not but yow will continew faithfull in the pursuance of all the instructions which we gave yow concerning Religion and the worke of Vniformity and the Solemne League and Covenant, vnto which we have no thing now to adde, but that wee conceive it expedient that yow vse your best endeavours with the Parliament of England and the Assembly of Divines, that as the League and Covenant is now shortlie to be renewed by this Kirk and Kingdome, so that it also may be renewed throughout the Kingdome of England and Ireland, and that yow will correspond and concurre with the Comissioners of the honourable Committee of Estates both in this and all other particulars, concerning Religion and the worke of Vniformitie and the establishing of the League and Covenant throughout all the three Kingdoms, without which we doe not see how there can be anie agreement, without destroying the worke of Reformation and rending in sunder the vnion betuixt the

Letter to the  
Commissioners  
at London.

<sup>1</sup> The Parliament accordingly on 18th January made the following entry in their Minutes, ‘The whole members of Parlemt being solemnelie sworne, If any of them had anie knowledge or accessioun to the late proceedings of the English army in relatioun to the Kings persoun, or Housses of the Parlemt of England and restrained members theirof, Did all declare upon oath that they had no knowledge theirof, nor were accessorie to the late proceedings of the English army in relatioun to the Kings persone, or the Housses of the Parlemt of England or restrained members thairof.’—*Acts of the Parliaments of Scotland*, vol. vi. pt. ii. p. 140.

Kingdoms ; And that as the Comissioners from the Comittee of Estates are intrusted to give testimony against it,<sup>1</sup> if the League and Covenant be laid aside or left arbitrarie and indifferent, or anything done tending to the prejudice of Religion and the worke of Vniformity or the vnion betuixt the Kingdoms, that yee joyne with them in giving testimony against the same. If there shall be a necessitie of sending anie more of our number, we shall condescend vpon them at our nixt meeting, which is appointed to be kept the       day of       , against which tyme we will expect from yow a perfect accompt of the state of affaires with yow, and continues,

Your affectionat brethren in the Lord,

*Edinburgh,  
5 December 1648.*

THE COMISSIONERS  
OF THE GENERALL ASSEMBLY.'

Commission to  
Earle Lothian.

The Comission of the Generall Assembly, having sufficient knowledge and prooffe of the fathfulness and abilities of the right honourable William, Earle of Lothian, who is now sent to the Kingdome of England from the Comittee of Estates of this Kingdome, Therefore doe hereby authorize his Lordship with full power to concurre with the remanent Comissioners from this Kirk for prosecuting the Treaty for the Vniformity of Religion with the honourable Houses of the Parliament of England, and reverend Assembly of Divines there, or any Committees appointed by them, and to doe all and everything for promoting, perfecting and bringing the said Treaty to a happy conclusion, conforme to former Comissions and the instructions given or to be given thereanent.

Letter to Com-  
missioners at  
London.

'REVEREND AND LOVING BRETHREN,—Wee have no thing to adde to our former letter, but to shew that wee have given Comission to this verie much honoured and noble bearer, the Earle of Lothian, to concurre with yow for prosecuting the worke of Vniformity. Wee doubt not his Lordship will find there that intertainment and respect that his worth deserves.

<sup>1</sup> Of the instructions given by the Parliament to their Commissioners in London on 6th January 1649, the last is, 'Yow shall prosecute your former Instructions and especiallie these concerning Religioun, the Covenant, and against tolleration.'

So commending yow all in these difficult times to the Lords  
speciall direction and assistance, wee remaine,

Your loving brethren,

*Edinburgh,  
5 December 1648.*

THE COMMISSIONERS

OF THE GENERALL ASSEMBLY.'

The Commission thinke fitt that, as the Lord Chancellor hes given great satisfaction to themselves, so in respect his offence is publick, that the offence may be further taken away, that his Lordship may make his acknowledgment in Edinburgh before the Congregation, and refers the time and maner thereof to the Ministers of Edinburgh, so that it be done before the renewing of the Covenant.

*Lord Chancellor  
his publik  
acknowledge-  
ment.*

The Commission of Assembly appoynts the Presbyteries of the Provinces of Lothian, Merse and Teviotdale, Perth, Angus, and Glasgow to try yet further the bussines concerning the divisive supplicatiouns which were to be presented to the late Assembly, and the persons accessorie therevnto, and that they referre the persons they find accessorie to this Comission, and report in writt a particular accompt of their diligence herein against the nixt meeting, which is to be in Januar, or at the furthest the nixt quarterlie meeting.

*Reference to  
Presbyteries  
concerning the  
divisive suppli-  
catiouns.*

The Commission appoynts Messrs. Robert Baillie, Mungo Law, James Gutterie, Mr. Alexander Peirson, Mr. Alexander Colvill, with the Moderator, to be a Comittee to meet with the Sub-committee of Estates to consider the instructions sent with the Earle of Lothian from the Comittee of Estates, because their Lordships desire that correspondence may be kept therein.<sup>1</sup>

*Sub-Committee.*

Concerning the petition of Blacader, Old Swintoun, John Home of Nyneholes,<sup>2</sup> Mr. George Home of Kimmergame, and Sir James Nicolson, the Comission recomends them to their severall Presbyteries, that they may take course with them according to the late Act and Explanation thereof made for receiving persones to the Covenant.

*Reference—  
Blacader and  
other Gentlemen  
in the Merse.*

<sup>1</sup> On 5th January, the Parliament appointed a Committee of twenty-one to prepare matters for 'readier dispatch,' and to 'meet with such of the ministrie as the Commission of the Church shall appoint to be with thame, and to acquaint the said ministrie with everie particular they shall think fit.'

<sup>2</sup> Or Ninewalls, *i.e.* Ninewells.

The Comission of the Generall Assembly doe seriously recomend to the right honourable the Lord Provost, Baillies, and Councell of Edinburgh, their officer John Young, earnestly desireing that they may be pleased, for his service and attendance, to give vnto him the benefite of a Gild brother in their burgh, that he may be the better enabled to serve in the said employment, for which favour they shall be very thankfull to this city.

The next meeting appoyted to be vpon the first Wednesday of Januar.

This Act should have been registrat befor vpon the 4th of this moneth of December *post meridiem*.

The Explanation of the former Act for renewing the League and Covenant.

*'The Explanation of a former Act of the 6 of October 1648 for renewing of the Solemn League and Covenant.'*<sup>1</sup>

'The Commission of the Generall Assembly, considering that some persons, who by their actions formerly have no way declared themselves disaffected to the work of Reformation, but rather promoters thereof; and yet in the hour of temptation have been so farre ensnared by their owne weakness, as they conceive themselves by the Act of the 6 October last to be debarred from the Covenant and Communion till the next Generall Assembly, which to them is very grievous; they being otherwise known to have been against the Engagement in their judgements, and to have borne<sup>2</sup> testimony against it as they had opportunity: Considering also that severall doubts and questions have been moved by severall Ministers and Elders concerning the said Act, requiring explanatioun thereof, Therefore the Commission, being most vnwilling that any true lovers of the work of Reformatioun should be discouraged, or that any who have shown themselves disaffected therevnto should be admitted vntill, after some time of triall, they have given some evidence of sincere repentance, Doe explain the Act aforesaid in manner following: that is to say, That the persons to be suspended from the renewing of the Covenant and from the Communion vntill the next Generall Assembly shall be:—

'1. All those who had charge or joyned as voluntiers in the Army that, vnder the conduct of Duke Hamilton, engaged in war against the Kingdom of England, or with the forces in and about Sterline, or elsewhere through the Kingdom, vnder the comand of the Earle of Lanerick and George Monroe.

<sup>1</sup> Published separately with the title: *The explanation of a former Act of the sixth of October 1648, for renewing of the Solemn League and Covenant in December, 1648.* 4to, Edinburgh, 1648.

<sup>2</sup> In print, *born*.

'2. All those who did take any Oath framed and ordained expressly for carrying on of the Engagement.

'3. All those who have any way concurred in the Engagement or with the forces foresaid, who have been known Malignants formerlie, and accordingly have been processed and sentenced for Malignancy.

'4. All those who have been active to procure subscriptions to the Act and Declaration for carrying on of the Engagement, or any other Bond condemned by the late Generall Assembly as destructive to the Covenant, or who have subscribed the same in the name and behalf of others.

'5. All those that have been vrgers and forcers or perswaders of others, Except those who before the time of the promoving of the Engagement were known to have been honest in the cause of God, and not Malignant, and who were known by their carriage to have been against the Engagement in their judgement, and did concur in petitioning, dissenting, protesting, or riseing in armes against it, or otherwise did bear testimony against it as they had opportunity, and who, of their owne accord, did not rise, force, or perswade any, but being driven to extreame straits by quartering, plundering, or threatnings of these or other eminent acts of violence, These, haveing the qualifications aforesaid, and being now willing and desirous to confesse this their offence, are hereby remitted to Presbyteries to be (vpon their publick confession before the Congregation) admitted to the renewing of the Covenant and to the Sacrament of the Lords Supper.

'6. All those who have subscribed the Act and Declaration for carrying on the Engagement, or any other Bond condemned by the late Generall Assembly as destructive to the Covenant, Except those who before the time of the promoving of the Engagement were known to have been honest in the Cause of God, and not Malignant, and who were knowne by their carriage to have been against the Engagement in their judgement, and did concur in petitioning, dissenting, protesting, or rising in armes against it, or otherwise bare testimony against it as they had opportunity, and who with all doe declare that they were not acquainted with any Declaration of any judicatories of the Kirk, or dissent of the members of Parliament against the Bond, and that they were deceived and ensnared, and knew not the drift of it, and conceived no more in [it] but for the maintaining of the authority of Parliament, and who, after that the evil of that Bond was remonstrated to them, did take

with their fault, and expressed a real dislike of what they had done, These, having the qualifications aforesaid, and being now willing and desirous to confesse this their offence, are hereby remitted to Presbyteries to be (vpon their publick confession before the Congregatioun, and renouncing by a declaration vnder their hands that their subscription) admitted to the renewing of the Covenant and to the Sacrament of the Lords Supper.

‘7. All those who have concurred in petitions, protestatiouns, remonstrances, or letters for moving of the Parliament or Comitee of Estates for carrying on of the Engagement, Except those who before the time of the promoving of the Engagement were known to have been honest in the cause of God, and not Malignant, and who were knowne by their carriage to have been against the Engagement in their judgement, and did concur in petitioning, dissenting, protesting, or rising in armes against it, or otherwise bare testimony against it as they had opportunity, and who, not knowing the nature or drift of such papers, through perswasion have been drawn on therevnto, These, having the qualificatiouns aforesaid, and being now willing and desirous to confesse this their offence, are hereby remitted to Presbyteries to be (vpon their publick confession before the Congregatioun, and declaratioun vnder their hand against such papers as they have *respective* subscribed) admitted to the renewing of the Covenant and the Sacrament of the Lords Supper.

‘It is always to be understood that from the two last Articles are also to be excepted the comon people, who through perswasion or terrour might have been drawne to<sup>1</sup> such courses, who therefore before their renewing of the Covenant shall be rebuked by the Minister in publick, they standing vp to shew their dislike thereof, after which they may be admitted to the renewing of the Covenant and the Sacrament of the Lords Supper.

‘It is also the judgment of the Comission that the single souldiers who have been in the Engagement, or with the forces aforesaid, shall be,<sup>2</sup> before their renewing of the Covenant or receiving of the Sacrament of the Lords Supper, be particularlie called on, and publicly acknowledge that their offence, after which they may be admitted to the renewing of the Covenant and the Sacrament of the Lords Supper.

‘It is always hereby declared that the said former Act of the

<sup>1</sup> In print, *unto*.

<sup>2</sup> In print *be* stands only at beginning of next clause before *particularlie*.

sixth of October last shall be observed in all the remanent clauses not here explained.'

*Edinburgh, 3 Januarij 1649, post meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. John Knox: Mr. James Gutterie: Mr. John Weir: Mr. James Hamiltoun: Mr. John Livistoun: Mr. Patrik Gillaspie: Mr. George Leslie: Mr. Thomas Donaldson: Mr. Mungo Law: Mr. John Smith. *ELDERS*.—Lord Marques Argyle: Libbertoun: Quhytbank: Dudistoun: Mr. Alexander Peirson: Mr. Robert Burnet, *Yor.*: James Sword.

The brethren continues their meeting to the morne at 4 houres in the afternoon, and all causes to that day.

*Edinburgh, 4 Januarij 1649, post meridiem.*

The brethren present continues their meeting vntill the morne before noone.

*Edinburgh, 5 Januarij 1649, ante meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. John Livistoun: Mr. George Leslie: Mr. Mungo Law: Mr. Patrik Gillaspie: Mr. John Smith: Mr. John Knox: Mr. David Dickson: Mr. James Gutterie: Mr. James Hamiltoun: Mr. John Row: Mr. John Adamson: Mr. Andro Affleck: Mr. Andro Wood: Mr. Thomas Donaldson. *ELDERS*.—Niddrie: Quhytbank: Mr. Alexander Colvill: Mr. Alexander Peirson: Mr. Thomas Murray: Mr. Robert Burnet.

Letters from the Comissioners at London being read, tenor whereof followes:—

‘RIGHT REVEREND AND HONOURABLE.—We send yow here inclosed the Armies Remonstrance<sup>1</sup> and the last papers passed betuixt his Majestie and the Houses Commissioners, which the House of Comons hath voted vnsatisfactorie,<sup>2</sup> and enlarged the tyme of the Treaty till Monday last at night, that the King might in the meane while know their sense vpon his papers. Their Comissioners are expected here within two or three dayes

Letter from the Commissioners at London.

<sup>1</sup> *A Remonstrance of his Excellency Thomas, Lord Fairfax, General of the Parliament's Forces, and of the General Council of Officers held at St. Albans' the 16th of November 1648.* E. 473. British Museum.

<sup>2</sup> These papers are entered in the Journals of the House of Lords for 24th November 1648. They are not entered in the Journals of the House of Commons but are voted unsatisfactory.



with his Majesties finall answere, [in] which some say that he will suspend Episcopacie and settle Presbyteriall Government, vntill vpon a debate, and after consultation of Divines, hee and his Houses agree concerning Church Government. There hath been nothing sent from the Houses to the King concerning the Covenant since his refusall of that proposition. There are reports here that the King is secured by directions from the Army, and that they intend to march towards London this weeke; of all which, as there shall be occasion, you shall be further advertised by

Your most affectionat freinds to serve yow,

*Westminster the 28*     *Subscibitur*, ROBERT BLAIR, Jo. CHEISLIE.  
*of November 1648.*

Letter from the  
Commissioners  
at London.

‘RIGHT REVEREND AND HONOURABLE.—Wee doe herewith send yow the Armies late Declaration,<sup>1</sup> and their letter to the City. They are now marched hither, and their headquarters are at Whitehall. By their direction Collonel Hammond, the late Governour of the Isle of Wight, is made prisoner at Windsor, and his Majestie is removed from the Isle of Wight to Hurst Castle, vpon the sea side, over against the west part of the Isle of Wight, in the county of Southampton. Yow will likewise receive inclosed the Kings finall answere concerning Church Government, together with the votes of the House of Comons passed this day. And we rest,

Your most affectionat brethren to serve yow,

*Westminster, the*     *Subscibitur*, ROBERT BLAIR, Jo. CHEISLIE.  
*5th of December 1648.*

Letters for a  
more frequent  
meeting.

The Commission of Assembly, in respect of the infrequence of their meeting, appoynts letters to be written to the brethren vpon the Commission within the Presbyteries of Lithgow, Dalkeith, Hadingtoun, Dumbar, Peebles, Biggar, and to the Presbyteries in Fyff and Teviotdale to be here vpon Tuesday nixt in respect of bussines of great importance now in hands.

Mr. Robert  
Blair.

This day a letter was produced from Mr. Robert Blair showing how vseles and vnprofitable his stay now is in England.

<sup>1</sup> The Declaration of . . . the Lord General Fairfax and his General Council of Officers. E. 473. British Museum.

The Comission having seriously considered the matter, thinke it fittest to leave it to himselfe to stay or returne, as he shall finde it fittest vpon the place.

The Commission of the Generall Assembly, having this day received a printed copie of Rows Paraphrase of the Psalmes corrected according to these animadversions given in to the late Assembly, Therefore doth appoint a competent number of these corrected copies now printed to be sent to Presbyteries, that according to the Act of Assembly they may revise and examine the same, and thereafter returne their animadversions and corrections thereof to this Commission, otherwise the said next Assembly is to goe on and take this Paraphrase to their consideration without more delay.

Rouse paraphrase.

This day Mr. Patrik Gillaspie produced a paper vnder the hand of their Reverend brother, Mr. George Gillaspie, subscribed by him a litle before his death, bearing a testimony to the present cause, which being read and considered, the Comission appoynts it to be registrate, and to be printed together with his sermons he preached against the associations with the enemies of truth and godlines.<sup>1</sup>

‘Seeing now in all appearance the time of my dissolution is very near, although I have in my letter will declared my mind of publik affaires, yet I have thought gode to adde this further testimony, that I esteeme the Malignant party in these Kingdomes the seed of the serpent, enemies to piety and to Presbyteriall government (pretend what they will to the contrary), a generation that have not set God before them. With the Malignants are to be joyned the prophane<sup>2</sup> and scandalous, from all which, as also from heresies and errours, the Lord of<sup>3</sup>

Mr. George Gillespies Testimonie a little before his death.

<sup>1</sup> The sermons do not appear to have been published, but shortly after his death an extract from them was published under the title : ‘*An Useful Case of Conscience Discussed and Resolved, concerning associations and confederacies with idolaters, infidels, heretics, or any other known enemies of Truth and Godliness.*’ By Master George Gillespie, late minister at Edinburgh. Whereunto is subjoynd a letter written by him to the Commissioners of the Generall Assembly in the time of his sickness, together with his testimony unto this truth, written two days before his death. 4to. *Edinburgh, 1649.*’ This is the testimony embodied in the Minutes and in the print, and it is followed by an extract from his ‘letter will.’

<sup>2</sup> In 4to print, *profane.*

<sup>3</sup> / In do.

trust is about to purge his Churches. I have often comforted myself (and still doe) with the hope of the Lords purging this polluted land. Surely the Lord hath begune and will cary on that great work of mercy, and purge out the rebels. I know there will be alwayes a mixture of hipo[c]rites, but that cannot excuse the conniving at grosse scandalous sines.<sup>1</sup> This purging worke, which the Lord is about, very many have directly opposed, and said by their deeds, We will not be purged and refined, but we will be joyning and mixing ourselves with these whom the Ministers preach against as Malignant enemies to God and His cause. But let him that is filthie be filthie still, and let wisdom be justified of hir children. I recomend to them that fear God sadly and seriously to consider that the holy Scripture doth plainly hold forth—1. That the helping of the enemies of God, or joyning and mingling with wicked men, is a sinne highly displeasing God.<sup>2</sup> 2. That this sinne hath ordinarily ensnared Gods people into diverse other sins. 3. That it hath been punished of God with greivous judgements. 4. That vtter destruction is to be feared, when a people after great mercies and judgements relapse into this sinne.—Ezra 9. 13, 14.

‘Vpon these and the like grounds for my owne exoneration, that so necessary a truth want not the testimony of a dying witness of Christ, although<sup>3</sup> the vnworthiest among many thowsands; and that light may be held forth and warning given, I can not be silent at this time, but speak by my pen when I cannot by my tongue, yea, now also by the pen of another, when I can not by my owne,<sup>4</sup> seriously and in the name of Jesus Christ, exhorting and obtesting all that fear God and make conscience of their wayes, to be very tender and circumspect, to watch and pray, that they be not insnared in that great and<sup>5</sup> dangerous sin of conjunction or compliance with Malignant or prophane<sup>6</sup> enemies of the truth, vnder quhatsoever prudentiall considerations it may be vernishit over; which if men will doe, and trust God in His owne way, they shall not

<sup>1</sup> *Sinners*, in 4to print.

<sup>2</sup> *God*, omitted in 4to print.

<sup>3</sup> *Also*, in 4to print.

<sup>4</sup> The first paragraph, it appears from the marginal note in 4to print, was written by his own hand, the second by that of another.

<sup>5</sup> *And*, omitted in 4to print.

<sup>6</sup> *Profane* in 4to print.

only not repent it, but to their great<sup>1</sup> joy, and peace of Gods people, they shall see His work goe on and prosper gloriously. In witnes of the premisses I have subscryved the same with my hand at Kirkaldie, December 15, 1648, before these witnesses, Mr. Fredrick Carmichaell, minister at Markinsh,<sup>2</sup> and Mr. Alexander Moncreiff, minister at Scoonie.<sup>3</sup>

*Subscribitur,*           GEORGE GILLESPIE.  
Mr. Carmichaell, *witnes*;  
Mr. Ale<sup>r</sup> Moncreife, *witnes.*<sup>4</sup>

This day William Home of Linthill having presented a supplicatioun, humbly desiring that he may be received to the Covenant, vpon his acknowledgment of his great offence in subscribing the vnlawfull bands and Declaration of Parliament of the 10th of June 1648, The Commission thinks fitt to refer the petitioner, and the said matter, to the Visitation of Dunce and Chirnside, appointed be the late Assembly.

William Home  
of Linthill.

The next meeting afternoon.

*Eodem die, post meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Mungo Law: Mr. George Leslie: Mr. James Gutterie: Mr. Andro Wood: Mr. John Knox: Mr. David Dickson: Mr. James Hamiltoun: Mr. Patrik Gillaspie: Mr. John Row: Mr. Andro Affleck: Mr. Thomas Donaldson: Mr. John Smith. ELDERS.—Niddrie: Quhytbank: Mr. Alexander Colvill: Mr. Alexander Peirson: Mr. Robert Burnet: Lawrence Henderson.

This day a letter from the Comissioners at London produced and read, tenor quherof followes:—

Letter from  
Commissioners  
at London.

‘RIGHT REVEREND AND HONOURABLE,—Wee are sorry that our last letters to yow miscaried and came not to your hands at your last meeting. They were found by the way beyond Newark, and returned to us here by some mistake, and were sent to yow by the last post.

‘Wee have received yours of the 5th, and another since, and shall be very ready to pursue your former and late instructions. But yow will find, vpon consideration of the present state of affaires, how improbable it is that anything will be done here in hast for renewing the Solemn League and Covenant. Wee suppose ye have hard by this tyme of the force that hath been vsed by the Army vpon the Houses of Parliament, and that

<sup>1</sup> *Greater*, in 4to print.

<sup>2</sup> *Markings*.

<sup>3</sup> *Skonie*, in 4to print.

<sup>4</sup> In 4to print, F. C. *witnes*. A. M. *witnes*.

there are above two hundred of the House of Comons secluded and imprisoned,<sup>1</sup> beside others who forbear to come as long as the Houses are vnder force ; concerning which letters are more particularlie written to the Comittee of Estates.<sup>2</sup> Those who continue to sit in the Houses, being above 50<sup>th</sup> in the House of Comons, and foure or five in the House of Lords, have revoaked all votes past in relation to a Treaty with the King, and the Ordinance for setling the militia of the Kingdome, and after a fast kept by them on Fryday last, they have passed this vote<sup>3</sup> for proceeding against the King and capitall offenders.

‘The inclosed paper, entituled an Aggreement of the People,<sup>4</sup> for the substance thereof, hath been approved, we heare, of the Generall Councill of the Army, with this alteration concerning the first reserve, that the representatives, whom they intend to set vp in place of the Parliament, shall have power in things naturall and civill, and those onely. The word “Morall” was offered to be added, but vpon the question was refused, because it might be conceaved to extend to matters of Religion ; so that, as now that Article stands, it is equivalent to an vniversall toleration.<sup>5</sup> Wee have sent yow Mr. Ashurts observations vpon the Aggreement, and waiting for your further directions, wee rest, Your most affectionat friends to serve yow,

*Subscibitur,*

LOTHIAN,

JO. CHEISLY,

Ro<sup>r</sup>. BLAIR.’

Covent Garden, the  
28th of December 1648.

This day the petition of the Lord Cranstouns read, Tenor whereof follows :—

<sup>1</sup> This should certainly have been ‘secluded or imprisoned.’ According to Mr. Rawson Gardiner, the number detained in custody was at first forty-one, afterwards forty-five, and the number simply turned back and forbidden to come in future was nine.

<sup>2</sup> Given in vol. vi. pt. ii. pp. 692-693 of *Acts of the Parliaments of Scotland*, and reprinted in Appendix to this volume.

<sup>3</sup> ‘That it be referred to a Committee to consider how to proceed in a way of Justice against the King and other capital Offenders.’—*Commons Journals*, vol. vi. p. 102.

<sup>4</sup> *Foundations of Freedom, or an Aggreement of the People*, drawn up by Lilburn and others.

<sup>5</sup> ‘Interdicted from interfering with the worship of such Christian societies as did not disturb the public peace with the wide exception of those addicted to “Popery or Prelacy.”’—Gardiner’s *Civil War*, vol. iii. p. 546.

*'To the Right Reverend the Comission of the Generall Assembly, William Lord Cranstoun, humbly sheweth,—*

*'That whereas I was employed in the late vnlawfull Engagement in warre against the Kingdom of England, as a Colonell, and went forth in my owne person with my regiment in actuall service, not having sufficiently examined the grounds of that unhappie Engagement, nor weighed and adverted to the admonitions and warnings of this Kirk, and the servants of God; But now having by the Lords mercie seen the sinfulness of that course, and His righteous judgment vpon the same, I doe in all humilitie acknowledge my sin in goeing on so forwardlie in that sinfull course. And being, from deepe sense and vnfained sorrow of heart for my so greevous offence, desirous to glorifie God and satisfie His Church by publick confession, for removing of so publick a scandell, Therefore, before I goe forth of this Kingdom to England, I make this humble addresse vnto your wisdomes, that yow may be pleased to accept of me, and prescribe the maner and tyme of my publick satisfaction, which I shall most chearfully performe according to your direction. And I must be the more earnest for this favour to be reconciled to this Kirk before I depart this my native Kingdom, being of intention to vse all means possible with these that have the power and charge in England, in that behalfe, to have the libertie to goe beyond seas out of these dominions; And in good hope to obtaine that my desire from them; for quhatsoever shall be the Lords pleasure to doe with me, as it shall be my endeavour to seeke the assurance of peace with Him, so it shall be exceeding great contentment of heart to mee to die or live a reconciled son and servant to the Kirk of Scotland. *Subscribitur,**

*CRANSTOUNE.'*

Petition of the  
Lord Cran-  
stoun.

The Commission, having considerit the said petition and heard the said Lord Cranstoun, finds they cannot prescribe his satisfaction, notwithstanding his earnest desire of the same, in respect of the late Act remitting the satisfaction of such offenders to the Generall Assembly, but are heartily glad of his sense of his guiltines, and will present the same and his offer to the Generall Assembly; and in the meane tyme appoynts Messrs. James Hamiltoun and James Gutterie to goe

Recomenda-  
tion, Lord  
Cranstoun to  
the Generall  
Assembly.

to his Lordship and shew this much, and withall to encourage him and speak comfortably to him.

Order for printing Catechismes and Confession.

The Commission appoynts that the Confession of Faith, and the lesser and larger Catechismes, be printed with the Acts of the Assembly prefixed, either in a large duodecimo or a litle octavo ; As also that the Litle Catechisme be printed severallie with the A B C before, and recomends this to the clerk that it be done with diligence.<sup>1</sup>

Desires from the Parliament.

This day the Earle of Cassills, the Lord Advocat, and the Lord Provost of Edinburgh come from the honourable Estates of Parliament, and shew that it was their Lordships desire that some of their number might be appoynted for preaching and keeping, on the nixt Wednesday, a solemn fast and humiliation for the members of Parliament, in the Parliament House, that they may then renew the Covenant, and enter in the Solemn Engagement ; Desiring also that some ministers may be appoynted to preach vnto them each Sabboth ; and lastlie, that they would appoint a Comittee of their number for conference with a Comittee of Parliament from time to time ; Which desires the Comission very thankfully receaved, and promised a satisfactorie answer.

Fast to the Parliament.

The Commission considering that laudable resolution of the Parliament to keepe a fast and humiliation in their verie entrie, and to renew the Covenant and engage themselves to dewties, And therefore appoynts Mr. Robert Douglas and Mr. James Gutterie to preach to the Parliament vpon the day of the fast, and renew the Covenant, and that Mr. David Dickson and Mr. James Hamiltoun preach to the Parliament the nixt Sabboth.

Comittee for conference with a comittee of Parliament.

The Commission appoynts Messrs. David Dickson, Samuel Ruthfurd, John Livistoun, George Lesly, James Gutterie, Patrik Gillaspie, John Row, Mungo Law, James Hamil-

<sup>1</sup> An edition in 12mo or small 8vo, was published at Edinburgh in 1648, with the following title : ' The Humble Advice of the Assembly of Divines now, by authority of Parliament, sitting at Westminster, concerning (1) A Confession of Faith, (2) A Larger Catechism, (3) A Shorter Catechism,' printed at London, and reprinted at Edinburgh, MDCXLVIII. The only copies of this I have seen are the one in the British Museum bearing the press mark 3505 bb., and one in my own library. Another Scottish 12mo edition, of which I have seen only a fragment in Scotland, bears the date 1653.

toun, John Smith, Robert Baillie, Robert Ker, Samuell Austain, William Jamesone, James Nasmith, Thomas Vassie, Fredrick Carmichaell, John Duncan, Lord Craighall, Niddrie, Dundas, Whitbank, Mr. Alexander Peirson, Mr. Alexander Colvill, Mr. Thomas Murray, Mr. Robert Burnet, with the Moderator, to be a Comittee for conference vpon publick bussines, and to prepare an report, as also to conferr with a Comittee of Parliament from time to tyme.

*Edinburgh, 8 Januarij 1649, post meridiem.*

The brethren continues the meeting vntill the morne at 2 heures.

*Edinburgh, 9 Januarij 1649.*

*Sederunt:—MINISTERS.*—Mr. Robert Douglas, *Moderator.* Mr. James Gutterie : Mr. Andro Affleck : Mr. John M'Ghie : Mr. Patrik Gillaspie : Mr. Thomas Donaldson : Mr. William Oliphant : Mr. David Dickson : Mr. Robert Ker : Mr. John Livistoun : Mr. James Wood : Mr. Samuell Rutherford : Mr. John Row : Mr. John Knox : Mr. George Weems : Mr. George Leslie : Mr. John M'Gill : Mr. James Hamiltoun : Mr. Ephram Melvill : Mr. John Sinclare : Mr. Mungo Law : Mr. Zacharie Boyd. *ELDERS.*—Marques Argyle : Cassills : Eglintoun : Balmerino : Burley : Torphichen : Lord Advocat : Lord Craighall : Sir George Maxwell : Niddrie : Inglistoun : Dudistoun : Quhytbank : Mr. Alexander Peirson : Mr. Alexander Colvill : Mr. Robert Barclay : Mr. Robert Burnet.

This day a letter from the Prince produced and read, tenor quherof followes:—

‘CHARLES P.—Trustie and welbeloved, wee greet yow well. Yours of the 17th of October we received on the 5th of this moneth, and doe returne yow our heartie thanks for the affection yow expresse therein to ws. Wee neede not professe the deepe sense we have of those sad divisions and distractions, vnder which the peace and happines of those Kingdoms hath for these late years suffered. They must beleewe ws to be void of all religion and prudence who thinke ws not fully affected with it. And as we have alwayes vsed our vtmost endeavours to promove a blessed peace, so we shall leave nothing vndone on our part which may seasonably contribute towards it. And we verie earnestly desire yow out of your zeale to Religion, and the conscience of your duty to our Royall father (since it is apparent that all principles of Religion and Government are

Letter from  
the Prince.



trode vnder foot by those who declare to all the world that they will have no peace), that yow will vse your endeavours so to vnite the hearts and affections of that Kingdom, that they may joyne as one man to redeeme and rescue their Sovereigne Lord the King out of the wicked hands of those who deteyne him in prison; By which yow will doe an act worthie the ministers of the Gospell of Christ, and oblige ws alwayes to looke vpon yow as the instruments of that happy deliverance, which in reason can onely put a period to the present calamities, and give ws hope of future comfort in one another. The God of peace direct and dispose your hearts to this blessed work, which, with Gods blessing, will restore three Kingdoms into their lost happines.

‘Given vnder our hand and seale at the Hague the 23<sup>d</sup> of December in the 24th yeare of the raigne of the King our Royall Father.’

‘Direct:—*To our trustie and welbeloveld the Moderator and the rest of the members of the Generall Assembly of the Church of Scotland.*’

This day a letter from the Comissioners at London was read with an inclosed vote. Tenor of the letter follows:—

Letter from the  
Commissioners  
at London.

‘RIGHT REVEREND AND HONOURABLE,—The House of Comons, being in number betuixt 40<sup>th</sup> and 50<sup>th</sup>, have passed an Ordinance, wherein power is given to themselves and six Lords, tuentie officers of the Army, and some others chosen out of severall places of the Kingdome, being in all an hundred and fiftie, and the quorum 20<sup>th</sup>, to try the King; and they have passed this vote for a law whereby these Commissioners shall judge him.<sup>1</sup> The Lords, being more frequently met then vsually of late, have cast forth both the Ordinance and vote, and adjourned for a weeke. The Generall Councell of the Army hath now passed

<sup>1</sup> The ordinance for the trial of the King was read a first time on 28th Decem-ber, a second time on the 29th, was referred to a committee and reported on upon 1 January 1648-9, read a third time and passed, but it is not entered at length in the Journals of the House. It was sent up the same day for the assent of the Lords along with a vote that it was treason for the king of England for the time being to levy war against the Parliament and kingdom of England. The House of Lords, which was more numerously attended on 2nd January than on any day since the exclusion of the Presbyterian members, threw out both the ordinance and the

and concluded the Agreement of the people, but have not yet resolved vpon the maner of subscription ; which is all we have to communicate for the present. And so we rest,

Your most affectionat brethren to serve yow,

*Subscribitur,*

LOTHIANE,

ROBERT BLAIR,

JO. CHEISLIE.'

*London the 2d  
of Januarij 1649.*

This day my Lord Marques Argyle, for corespondence with the Comission, communicate vnto them a speech which he delivered in Parliament, and he had caused putt in writ for that effect.

*My Lord Marquis Argils speech, which after reading he took up himself.*

'RIGHT REVEREND,—Wee are exceeding sensible of the sad condition of affaires in that kingdome. But what advise to give yow concerning your stay or returne we cannot in this place and at this tyme be so clear and resolved as yourself and the remanent Comissioners there may be ; And therefore we leave yow in that to doe as the Lord shall direct yow. It will be very necessarie that at this tyme some publik testimony be given from this Kirk, which we are vpon, and we hope by the nixt occasion shall be sent vp to yow. In the meane tyme it is fitting that yow labour by all meanes in privat for the encouragement of our friends and such as stand to the cause and Covenant, and for Presbyteriall Government. Being to dissolve now this night, in respect of the solemn fast we joyn into to-morrow with the Parliament, wee recomend yow to the wyse counsell of the Lord, and remain,

*Letter to Mr. Robert Blair.*

Your loving brethren,

*Edinburgh, this  
9 Januarij 1649.*

THE COMMISSIONERS

OF THE GENERALL ASSEMBLY.'

'We wrytte at this tyme only to your self, intending only to

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vote, *nemine contradicente*, and the 'rump' of the House of Commons, on 5th January passed both, by their own authority, and passed the following resolutions : ' (1) That the People are, under God, the Original of all just power ; (2) That the Commons of England in Parliament assembled, being chosen by and representing the People, have the supreme power in this nation ; (3) That whatsoever is enacted or declared for law by the Commons in Parliament assembled hath the force of law, and all the People are concluded thereby, although the consent and concurrence of the King or House of Peers be not had thereto.'

returne ansuer to your letter, but by the nixt we shall wryte to yow all more fully.'

The nixt meeting vpon Thursday at 10 houres.

*Edinburgh, 12 Januarij 1649, ante meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Mungo Law: Mr. John Nevey: Mr. John Livingstoun: Mr. John Adamson: Mr. James Wood: Mr. Andro Affleck: Mr. Ephraim Melvill: Mr. John Hamiltoun: Mr. John Home: Mr. George Leslie: Mr. William Jameson: Mr. Robert Ker: Mr. John Smith: Mr. Patrik Fleeming: Mr. Hew Peebles: Mr. John Sinclair: Mr. Andro Duncason: Mr. David Dickson: Mr. James Hamiltoun: Mr. Samuell Rutherford: Mr. Patrik Gillaspie: Mr. James Gutterie: Mr. John Row: Mr. Zacharie Boyd: Mr. Thomas Henderson: Mr. Hew Kennedy: Mr. Thomas Donaldson: Mr. Robert Traill: Mr. Alexander Dickson: Mr. John M'Ghie: Mr. John Lawder: Mr. John M'Gill: Mr. John Chalmers: Mr. Samuell Austein: Mr. Andro Donaldson: Mr. William Oliphant. *ELDERS*.—Kilcudbright: Craighall: Sir George Maxwell: Sir William Carmichaell: Niddrie: Dundas: Inglistoun: Whytbank: Mr. Alexander Peirson: Mr. Robert Barclay: Mr. Robert Burnet: Mr. Alexander Colvill: Mr. Thomas Murray: John Browne.

The Comission appoynts Mr. Samuell Rutherford and Mr. James Wood to preach to the Parliament the nixt Sabbboth, Mr. Hew Peebles and Mr. Andro Stewart in the Tron Kirk.

The Comission appoynts the Comittee, named vpon the 5 Januar, to have also power to meet with the Comittee of Parliament to consult vpon Overtures for suppressing of prophanitie and taking course with excommunicat persons, supplying of the poore, settling of schooles, searching out all mortified rents and how they are employed, and what is to be done farder in prosecution of comissions for planting of kirks; As also the visitatioun of hospitalls, and concerning the disclaiming of the Ingagement, and purging of the judicatories and armies, and to report the result of their consultatiouns.

The Comission appoynts the foirsaid Comittee to consider vpon the letter from Ireland, and to report their opinions.

*Eodem die, post meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Zacharie Boyd: Mr. John Hamiltoun: Mr. John Nevey: Mr. John M'Ghie: Mr. William Jamesone: Mr. Ephraim Melvill: Mr. Hew Peebles: Mr. Hew Kennedy: Mr. Samuell Rutherford: Mr. James Wood: Mr. George Leslie: Mr. Alexander Dickson: Mr. William Oliphant: Mr. David Dickson: Mr. Patrik Colvill: Mr. John Lawder: Mr. George Bennet: Mr. James Hamiltoun: Mr. Andro Affleck: Mr. Patrik Gill-

Power of the  
Committee  
above named.

aspie : Mr. John Row : Mr. Mungo Law : Mr. Thomas Henderson : Mr. Andro Duncason : Mr. Robert Ker : Mr. John Home : Mr. John Livistoun : Mr. Andro Donaldson : Mr. Robert Trail : Mr. Samuell Austain : Mr. John M'Ghill : Mr. James Gutterie : Mr. John Smith : Mr. John Sinclair : Mr. Alexander Livistoun : Mr. John Chalmers. **ELDERS.**—Marques Argyle : Lord Eglingtoun : Balmerino : Burley : Torphichen : Kilcudbrigh : Lord Couper : Lord Advocat : Sir James Fraser : Sir James Hacket : Sir George Maxwell : Dundas : Libbertoun : Englistoun : Dudistoun : George Porterfeild : Whytbank : Obstale : Alexander Brodie of that ilk : Mr. Alexander Colvill : Mr. Thomas Murray : Mr. Alexander Peirson : Mr. Robert Barclay : William Browne.

This day the Lord Advocat, for correspondence with this Comission, shew that the speach he had in the begining of the Parliament he had caused copie, and gave it to the Clerk to be read at their laisour, and to remain *in retentis*. My Lord Waristons speech.

Concerning the sumonds at the instance of the towne of Edinburgh for transporting Mr. Hew Mackall, the said Mr. Hew appearing personally, and the Earle of Eglingtoun, Mr. Robert Barclay appearing for the parochiners of Irwing, and the Lord Provost, Baillies and Ministers of Edinburgh appearing for the good towne, The Comission of Assembly, having heard the parties and considerit their reasons given in *hinc inde* for and against his transportation, Finde that the said Mr. Hew ought to be transportit, and therefore doe hereby transporte him from his present charge at Irwing to the charge of the ministry at Edinburgh, and appoynts him to remove from Irwing and settle himself for the said charge at Edinburgh betuixt this and the fyften of Apryle nixt. Transportation—Mr. Hew Mackale to Edinburgh.

Concerning the sumonds for transporting Mr. John Carstaires to Bruntiland, the said Mr. John appearing personallie, and diverse of the parish of Cathcart, and Sir James Melvill, George Gairnes, and diverse vthers of the parish of Bruntlyland, The Comission of Assembly, having heard the said parties and seriously considerit their reasons given in *hinc inde* for [and] against his transportatioun, Finde that the said Mr. John Carstaires should not be transportit to Bruntiland, and therefore doe refuse the desire of the parish of Bruntiland, and appoint him to stay at Cathcart notwithstanding thereof. Refusall of the Transportation of Mr. John Carstaires to Bruntiland.

Concerning the sumonds for transportatioun [of] Mr. Andro Lawder to Air, the said Mr. Andro appearing personallie and the Provost of Air, Hew Kennedy and diverse others of the towne of Air, and Mr. Andro and diverse of the parish of Refusall of the Transportation of Mr. Andro Lawder to Air.

Whithorne, The Comission of Assembly, having heard the said parties and seriously considerit their reasons given in *hinc inde* for and against his transportatioun, Finde that the said Mr. Andro should not be transportit to Air, and therefore doe refuse the desire of the said towne of Air, and appoynt him to stay at Whithorne notwithstanding thereof.

The nixt meeting the morne at 10 houres.

*Edinburgh, 13 Januarij 1649.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Andro Affleck : Mr. William Jameson : Mr. Hew Kennedy : Mr. James Wood : Mr. John Livistoun : Mr. George Weymes : Mr. James Hamiltoun : Mr. George Bennet : Mr. John Row : Mr. John Lawder : Mr. John Smith : Mr. John Hamiltoun : Mr. John Home : Mr. Samuel Rutherford : Mr. David Dickson : Mr. Ephraim Melvill : Mr. Thomas Donaldson : Mr. Alexander Livistoun : Mr. Patrik Colvill : Mr. James Nasmith : Mr. Patrik Gillaspie. ELDERS.—Marques Argyle : Earle Eglingtoun : Dundas : Whytbank : Mr. Alexander Peirson : Mr. Robert Barclay : Mr. Alexander Colvill : Mr. Robert Burnet : William Browne.

The Commission appoints the Committee, appointed yesterday to have a conference with the Parliament, to consider the divisive petitions that were to be presented to the Assembly, and to consider what in their opinions is fitt to be done thereanent, and to report.

This day the Parliament haveing sent some of their number desiring that some of the Ministers might come to the Parliament to be witnesses to their subscribing of the League and Covenant, which they<sup>1</sup> have now againe sworne and renewed, The Comission appoints Mr. Robert Douglas, Moderator, Messrs. David Dickson, James Hamiltoun, John Livistoun, James Gutterie, Englistoun, Mr. Alexander Peirson, Whytbank to attend the Parliament for the effect aforesaid.

Concerning the petition and summons for transporting Mr. Walter Comrie, the said Mr. Walter being personallie present, with Mr. Samuel Rutherford and Mr. James Wood and others for St. Leonards, and Archbald Marques of Argyle and others for Innararey, The Comission of Assembly, having heard the said parties *hinc inde*, and considered the reasons for and against Mr. Walters transportatioun, as also having considerit the reasons of Dunkeld for the said Mr. Walter his transportatioun

Transporta-  
tion of Mr.  
Walter Comrie  
to Inneraray.

<sup>1</sup> They, *i.e.* the members of Commission.

to them, conforme to the reference of the late Assembly ; Doe finde that the said Mr. Walter sould be transportit to Inneraray, and therefore transports him by these presents to the charge of the Ministerie there, the reasons for his stay at St. Leonards and for his transporting to Dunkeld notwithstanding, and he is appointed to remove and setle himself in the said charge at Inneraray betuixt and the 15<sup>th</sup> of Maij next.<sup>1</sup>

The next meeting on Tuesday at 2 houres.

*Edinburgh, 16 Januarij 1649.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. John Smith : Mr. Mungo Law : Mr. James Nasmith : Mr. William Jamesone : Mr. John Row : Mr. Thomas Donaldson : Mr. John Hamiltoun : Mr. Thomas Henderson : Mr. John Chalmers : Mr. John Lawder : Mr. Hew Kennedie : Mr. Samuell Rutherford : Mr. David Dickson : Mr. James Hamiltoun : Mr. James Gutterie : Mr. Andro Affleck : Mr. Andro Duncason : Mr. Robert Ker : Mr. Patrik Colvill : Mr. Hew Peebles : Mr. John Knox : Mr. John Home : Mr. John Livistoun : Mr. Patrik Gillaspie : Mr. George Leslie : Mr. Alexander Livistoun. ELDERS.—Lord Craighall : Sir William Carmichaell : Dundas : Whytbank : Mr. Alexander Pearson : Mr. Robert Burnet : William Browne.

This day a letter following produced from the Comissioners at London :—

‘RIGHT REVEREND AND HONOURABLE,—Wee send yow here in- closed the reasons of the Counsell of Warr for secureing and secluding the members of Parliament, and the votes which passed the Comons on Thursday last,<sup>2</sup> wherein they declare the people vnder God to be the originall of all just power, themselves to be the supream authority of this Nation, and that they alone have power to make lawes, though the King and Lords consent not therevnto. Vpon Saturday they passed a Comission in the nature of an Act of Parliament for trying the King.<sup>3</sup> Yesterday the Generall, Leivtenant-Generall and others of that Comission mett and satt very late. This day a proclama-

Letter from  
Commissioners  
at London.

<sup>1</sup> Before that date, however, Comrie, who at first had only been assistant in St. Leonard's parish church, was presented to the full charge and continued there till 1662, when he became second master in St. Mary's College, and in 1666 succeeded Alexander Colville as Principal.

<sup>2</sup> Given in note on pp. 148-9.

<sup>3</sup> ‘An Act for erecting an High Court of Justice for tryall of the King was this day read the third time and passed.’—*Common's Journals*, vol. vi. p. 113.

tioun was made in Westminster Hall to give notice that by vertue of an Act of Parliament of the Comons of England the Commissioners were to sit to-morrow, at one of the klok in the afternoone, at the painted Chamber, for triall of Charles Stewart, King of England. We have also sent a petition for the Jewes, which was presented to the Counsell of Warre, and receaved with a great deale of applause and approbation. And so we rest,

Your most affectionat freinds to serve you,

*Subscribitur,*      LOTHIAN,  
ROBERT BLAIR,  
JO. CHEISLIE.'

Covent Garden the  
9th of Januarij 1649.

'Direct:—*For the right reverend the Commissioners of the Generall Assembly of the Kirk of Scotland.*'

Mr. Rob.  
Jamesone.

The Comission recomends Mr. Robert Jameson to the Marques of Argyle for some mantenance and payment of his stipend, and appoynts the Moderator and Messrs. David Dickson and John Smith to speake in their names to his Lordship in his behalf.

The Commission of the Generall Assembly, having heard the report of the Comittee, and finding it necessarie that they, in name of this Kirk, emit a testimony against the errours and practises of the Sectaries in England, Doe therefore resolve to put forth and emitt the following Testimony, and appoint the same to be printed, and desire that Mr. John Smith, Mr. Patrik Gillaspie, Whytbank, and Mr. Robert Burnet present the same to the Parliament:—

*'A necessary and seasonable Testimony against Toleration, and the present proceedings of Sectaries and their Abbettors in England, in reference to Religion and Government, with an Admonition and Exhortation vnto their Brethren there, from the Commissioners of the Generall Assembly of the Kirk of Scotland.'*

Testimonie  
against Toler-  
ation etc.

'Albeit the worke [of] Reformation in these Kingdoms hath ingraven vpon it so many and so lively characters of the Truth and Power and Wisdome of Jesus Christ, as gives vnto ws sufficient grounds of hope that He will bring forth the head-stone of His House with shoutings, vnto the shame of His adversaries and refreshing of His people; yet the sense which we have of our duety

in regard of our station and trust, the dangers that threatnes Religion and Government, together with the desire which we have to restore those that are fallen, to strengthen the weak and to comfort the afflicted in England, calls vpon ws to give publick Testimony against the present proceedings of Sectaries and their Abbettors in that land, and to speake a word of admonition and exhortatioun to our brethern there.

‘ It hath been vnto ws, and we make no doubt vnto the Protestant Church abroad, matter of much sorrow and grief of heart, that after so many sufferings from, and wrestling with, the Popish, Prelaticall and Malignant party; and after that they are brought down by the mighty hand and stretched out arme of the Lord, there should arise in their stead any<sup>1</sup> other to oppose His work in these Kingdoms; and it adds vnto our affliction that they be such as professe for Jesus Christ, and pretend vnto holines and seemed once to build with ourselves, whilest now their way is become grievous and goes downe vnto the gates of death, as tending to overturne Religion, destroy the League and Covenant, and to raze the foundations of Government.

‘ It shall not now be needfull to fall vpon an enumeration of all these errours which have sprung vp in England of late. A few years past have brought forth more and more dangerous opinions in that one Kingdom then many preceding generations in all the Churches of Christ, so evil and bitter a thing it is to leave everie man to his own fancy, and the vineyard of the Lord without an hedge. The late Generall Assemblies of the Kirk of Scotland and their Commissioners have borne testimony against Independency, Erastianisme, Anabaptisme, Antinomianisme, Arminianisme, Socinianisme, Familisme, Scepticisme etc.; and the Ministers of the Province of London and many others have more particularly reckoned and condemned the errours which men of corrupt mindes there have run into. We blesse the Lord for every faithfull witnesse, and desires to put to our seal that his testimony is true. But of all things it most afflicts our spirits, and we cannot but look vpon it with horreur and amazement, that in a land Covenanted with God, after Satan hath been so cunning as to sowe the seed of so many heresies and errours, he should now prevail so far vpon the spirits of men, as to make them instrumentall to plead for a Toleration vnto all errours, and to endeavour that this monstrous iniquity may be established by a law, and that of so large extent as

<sup>1</sup> *Another*, in print.



carries no exception but expresse Popery and Compulsion: The first whereof leaves latitude enough to take in any Papists whatsoever, if he can but a litle dissemble the grossnesse of his way; and the latter doth not obscurely point at those who plead for the Government of Jesus Christ by Presbyteries, and hold that all men are to walk according to the rule of the Word of God. Is this all the favour and approbation that such may expect to be ranked amongst the worst of Papists? There are many devices in the heart of man, but the counsell of the Lord shall stand, and He will give vnto His people a nail in His holy place.

‘We have searched after the minde of Christ, and have traced the footsteps of the prophets and apostles in the Old and New Testament, and no where can we finde in the Scriptures of Truth other<sup>1</sup> precept or precedent allowed of God for tolleration of any error, much lesse did it ever cum into His minde, or did He speake to any of His servants concerning a toleration of all error. As that Infinitely glorious Divine Essence is one in Himself, most holy, most righteous, most true, so hath He given vnto the children of men One Eternall Vnchangeable Law, according to the rule whereof they are to square their profession and order their conversation. Therefore as His justice requires in the Covenant of Works, that we should walk according thereto without declining to the right hand or the left, so He in his mercie promises in the Covenant of Grace, to give vnto His people on<sup>2</sup> heart and on way to fear Him for ever. And in both Covenants they are obliged to walk after the rule of this Law. It is acknowledged by many of those with whom we have now to doe, that no libertie is to be allowed vnto men in the breaches of the duties of the second Table which we owe vnto our neighbours, but, that if a man sin against his neighbour, and disturb the peace of the Comonwealth, he is to be restrained and punished. Can there any solid reason be given, why it should not also be thus in regard of the duties of the first Table which we owe vnto God? Is not one Lord author of both? Hath not conscience influence on<sup>3</sup> both? Is not the Lords glory interested in the one as well as in the other? Doth not His image shine as brightly, and may it not be as much defeaced, in the one as in the other? Are the things of God lesse precious then the things of men, and that which concerns the soul lesse to be cared for then that which concerns the body? Or are we more to value our own damage than the Lords dishonour? We know that no man hath

<sup>1</sup> *Either*, in print.

<sup>2</sup> *One*, in print.

<sup>3</sup> *Upon*, in print.

dominion over the conscience, But the Lord who made it exercises His sovereignty therein, and He hath set a law vnto the spirits of men, after the rule whereof they are to order both their judgments and affections, and hath given power to those whom He cloathes with authority, which they are to exercise in these things, so far as they are manifested in expressions and actions, vnto the dishonour of His name, and hurt and prejudice of others. All those who have their senses in any measure exercised in the Word of God will acknowledge that it is repugnant thereto, that any who are cloathed with power Oeconomick, Ecclesiastick or Politick should connive at any error, in any of these that are subject to their jurisdiction, or allow it liberty by a law. Abraham did command his children and his household to keepe the way of the Lord, and to do justice and judgement, Genesis 18. 19. Jacob took order for purging of his household and all that were with him from all the Idolls and strange Gods that were among<sup>1</sup> them, Genesis 35. 2. David will have none of those who tell lies, but such as walk in a perfect way, to be in his house, Psalm 101., And the Apostle Paul will have all Pastors and Deacons to rule their houses well and to keepe them in subjection, 1 Timothy 3. Neither is there lesse required of those who bear charge in the House of God. It was a speciall part of the office of Aaron and his sonnes to separate betuixt the pretious and the vile. Jehoiada set porters at the gates of the house of the Lord, that none which was vnclean in anything should enter therein, 2 Chronicles 23. 19. The Apostle Paul would not give place vnto those, by subjection, who came in privily to spy out the Kirks liberty, for the space of an hour, Galatians 2. 5; and he will have an heretick after the first and second admonition to be rejected, Titus 3. 10. And are not some of the Churches of Asia commended for their diligence, and others of them reprov'd for their [want of] diligence<sup>2</sup> herein, Revelation 2. 2, 6, 14, 15 and 20? And though the power of the Magistrate be herein most questioned by the patrons of toleration, yet is the Scripture very clear and plentiful both in precepts and precedents, in promises, rewards, in threatnings and judgments, in encouragements and reproofs, that it is the office and duty of the Magistrate not only to suppress and punish iniquity and vnrighteousnesse, but also vngodlines and errour, and that he beareth his sword in relation to both. As the Lord by His servant Moses in the 17 of Deuteronomy requires of him that shall reign over His

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<sup>1</sup> *Amongst*, in print.

<sup>2</sup> *Negligence*, in print.

people, that he have a copy of the Law of the Lord by him, and that he read therein all the dayes of his life, that he may learne to fear the Lord his God and to keepe all the words of that Law, so in the 13 of that book He gives a comand to put to death the false prophet, and the brother that speaks to His people to turne them away from the Lord their God. And the reasons taken from the nature of the duty, whereby he perswads vnto the obedience thereof, are perpetuall, and no les binding vnto vs now then to them of old. How strongly doth the Lord plead in the 22 of Deuteronomy against Toleration and false worship and all the occasions thereof, and provocations and incitements thereto; and how severe is He about the removing and destroying all these, and in tying all His people to one way according to the rule of His Word! and what peremptory comand are there given vnto them concerning both! Was not the blasphemers stoned vnto death? Leviticus 24. 10. It was the great care and singular comendation of Joshua, Samuel, David, Asa, Jehosaphat, Hezekiah, Josiah, Ezra, Nehemiah, Zerobabell, and of such as judged or reigned well in Israel or Judah, that they preserved Religion and Reformation in integrity, restored it when it was fallen and corrupted, by destroying idolatrie and establishing the pure ordinances of God. Asa made a Covenant, and comanded Judah to seek the Lord God of their fathers, 2 Chronicles 14. Jehosaphat went out throughout the people from Beersheba to Mount Ephraim, and brought them back vnto the Lord God of their fathers, 2 Chronicles 19. Josiah made a Covenant, and caused all the people to stand to it, 2 Chronicles 34. 32. And the children of Judah after their return from Babylon made a Covenant, and entred into a curse and into an oath to walk in Gods Law, and to observe and do all the commandements of the Lord their God, Nehemiah 9. 38, 10. 29. It is left as a note of perpetuall infamy vpon Jeroboam, that he caused Israel to sin by erecting the calves at Dan and Bethel, and suffering the people to goe a whoreing after the same; and as it was the cause of the destruction of his house, so at last of the extermination of Israel. And it is severall times observed by the Holy Ghost as a fault in severall of the Kings of Judah that the high places were not taken away; and Judah itself was also many times sore plagued of God, and at last carryed into captivity because of their tolerating of errour and idolatry. And whoso well ponders the story of Josephus, the Jewish writer, will finde that both in Divine and Politick considerations the

tolleration of diverse sects amongst them was a main cause of their ruine.

‘Some say that the coercive power of the Magistrate had place in the Old Testament, because of an infallible judgement of direction that was always present with them in the *Vrim* and *Thummim* for applying of the Law to those who were guilty. But, besides that this overthroweth all ecclesiastick as well as civill censures vnder the New Testament, as supposing the necessity of an infallible direction to the right proceeding vnto a sentence against a blasphemor or heretick, what needeth then any judiciall processe or the testimony of witnesses against such? This argues that the procedour was to be in an ordinary way, according to a known standing law, as in cases of the second Table. And it hath as litle strength that the Magistrate then did these things, not as a Magistrate but as a type of Jesus Christ, seeing the Kings of the heathen, such as Artaxerxes, Nebuchadnezzar and Darius made decrees hereabouts, whose practise is comended by the Spirit of God. And some, knowing no other shift, would have the Old Testament laid aside in all the question, and have proofs only from the New. But did not the prophets of old foretell that there should be such a thing vnder the New Testament? Zachary,<sup>1</sup> in his 13, telleth that, in the day that the fountain shall be opened in the house of David for sin and for vncleannesse, the prophet that speaks lies in the name of the Lord shall not live but be thrust thorow. And as Jesus Christ commands vs to beware of false prophets, Mathew 7. 15, and the Apostle Paul to marke them who cause divisions, Romans 16. 17, and wishes that those who troubles the Church<sup>2</sup> of Galatia were cut off, Galatians 5. 12, so the same Apostle, Romans 12,<sup>3</sup> tells vs that the Magistrate is the Minister of God, a revenger to execute wrath vpon those that doe evil. Neither is this wrath confined to the deeds of vnrighteousnesse and these things only that are prejudiciall vnto men and troubles the peace of the Comonwealth, but is also to be extended to these things that are dishonourable to God and the peace of the Church; for it cannot be shoven that any part of that power which Magistrates had vnder the Old Testament is repealed vnder the New, neither can any convincing reason be brought why it should be of narrower extent now nor then. Are not blasphemers,<sup>4</sup> heresies and errors dishonourable to God and destructive vnto souls as well

<sup>1</sup> *Zackariah*, in print.

<sup>2</sup> So also in print, but should be 13.

<sup>3</sup> *Churches*, in print.

<sup>4</sup> *Blasphemies*, in print.

now as of old? And are not men as prone to run vnto these things? And have they not need of as many remedies and restraints now as of old? Nay, be not these evil works, as well as the works of injustice and vnrighteousnesse? They are high transgressions against the first and great comandement of the Law; and Moses, speaking of the punishing of them, calls them the evil which we are to put away from amongst us, Deuteronomy 18. 15. And the Apostle Paul desires vs to beware of men that are polluted therewith as evil workers, Philippians 3. 2. And the same Apostle calls them evil men and seducers, 2 Timothy 3. 13. And the Apostle John calls their works evil deeds, 2 John 10. Therefore if liberty be granted in these, we know no cause why men that can in a handsome way pretend conscience for it, should be denyed liberty to run vnto<sup>1</sup> excesse and riot, and to commit all sorts<sup>2</sup> of vncleannesse and practise all wickednesse with greedinesse; Which maks vs the lesse to wonder that it is propounded that no thing may be punished with death but murder. Thus far do the principles of libertines lead them, that the most monstrous and vnnaturall abominations that can be are not to be punished with death. Neither belike should murther be excepted, if the carnall desire of the preservation of naturall life did not lead them to it. We know not with what words of wonder and astonishment to expresse ourselves vpon these things. Passe over to the Isles of Chittim and see, and send vnto Kedar, and consider diligently, and see if such a thing hath been heard of of old, or of late, amongst the most brutish and barbarous nations. Such a cursed Toleration as this will not only make everything in Religion appear to be vncertain, rend the Churches and disturbe the State, and trample all Ordinances, Order, and Government vnder foot, and bring forth many blasphemies and abominations, but is like to banish Religion and Righteousnesse quite out of the land, and at last make a hell vpon earth.

‘And the thing in itself is not more strange vnto vs then that these who have lifted vp their hands vnto heaven, and sworn before God, angels, and men to extirpate popery, heresie, errour, schism, superstition, idolatrie and prophanesne, and whatsoever is contrary to the sound doctrine and the power of godlinesse, and whoso do so much pretend vnto holiness, and have been made partakers of so many mercies and deliverances, should have so far

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<sup>1</sup> *Into*, in print.

<sup>2</sup> *Sort*, in print.

forgotten the Oath and Covenant of God, as to plead for and proclaim a liberty vnto all these things. The Solemn League and Covenant was in the begining, amongst all the means that could be thought of, lookt vpon and entertained as the strongest bulwark of Religion, and surest foundation of a lasting vnion and peace betuixt the Kingdoms, and the best way for bringing down the enemies of both, and being confirmed by the Oath of God, cannot be repealed nor altered by any power or authority on earth, but obliged both Kingdoms vnto all the duties contained therein; which makes vs to wonder that men should be so vnhappily bold as to sport with the Oath of God, and mocke the Almighty, who is a severe Avenger of all such things. And albeit we have no cause to repent of covenanting with England, as having done a necessarie duty, and laid the foundation of a glorious work, which we trust shall be perfected maugre all the opposition of men, and that we resolve to adhere to that Solemn League and Covenant as long as we live; yet have we reason to complain of the exceeding great levity and inconstancy of some of those with whom we had to do, because of the sad reproach that is thereby brought vpon the Cause of God, and the great prejudice that doth thereby redound to the Kingdom of His Sonn Jesus Christ.

‘Neither is it the least part of our grieve that, as a throne is set vp for Satan, and the House of God laid waste, so the Civill Government is exceedingly shaken, if not quite subverted and overthrown. We plead not for tyrannie or arbitrary power either in Kings or Parliaments. Neither are we to own or justifie any man in his sin, but we may remember what adversaries have many tymes cast vpon both Kingdoms, and both have oftner than once printed and published to the world for their vindication in this; and if, after so many publick professions and solemn attestatiouns to the contrary, the foundations shall be razed, Monarchy be destroyed and Parliaments subverted by an imaginary and pretended Agreement of the People, as it would destroy the League and Covenant, and cause the adversary to blaspheme and insult, so it cannot but be the cause of many miseries and calamities vnto these Kingdoms. If power be originally in the people, and all of them do equally share in the priviledge of libertie and freedom, how comes it to passe that a few take vpon them to impose this Agreement vpon others, and that it is desired that the opposers may be punished with death? Let it be yeilded that some at first may condescend vpon the model, without the knowledge of the whole

body, yet when it is offered vnto them, what if the on<sup>1</sup> half or the greater part shall refuse to consent or submit thereto? Shall they be compelled by others to do it, and destroyed if they will not obey? Is not this to take power over these that have equall power with themselves, and to encroach vpon the freedom of these who are as free as themselves? If it be said that they do but impose in things necessarie that concern comon equity and freedom, we demand, who are judges of these things? Have not these who refuse as much power and freedom to judge as those who would impose it vpon them? And if they judge it to be contrary to their freedom, who can controul them herein without encroaching therevpon, and offering violence to their consciences who may conceive such a way neither to sute with Religion nor Righteousnesse? And to speake no thing of the troubles that are like to arise otherwise, may not this open again the issues of blood, and imbroil the land in a new war betuixt these who shall refuse and these who shall impose such a modell, wherein men may happily<sup>2</sup> lose both themselves and their liberty, whilst they seek to be too much free? Were it not better to preserve Monarchy and the priviledges of Parliament, walking in the middle, betuixt Tyrannie and Anarchy, betuixt Arbitrary Government and confusion?

'We know that such a way is looked vpon by some as the best foundation of safety, but we know no thing more like to bring ruine and destruction. And therefore, pittying these who are gone out of the way, we doe, from the compassion which we have to their soules, earnestly and in the name of the Lord, beseech all these in England who plead for Toleration, the laying aside of the Covenant, and change of the Civill Government, to consider these things impartially. (1) What fair professions and promises were made vnto this Kingdom to perswade them to joyne in Covenant with England, and how often before and since that time these things have been renewed by letters, Declarations and Remonstrances vnto these in this land, Petitions to the King, Ordinances of the Houses, and letters to the Kirks abroad. All this is still vpon record, and will bear witness before the Lord, and vnto the following generations, against the levity, perversnesse and perjury of those who have sworn the League and Covenant, and guade<sup>3</sup> so much about to change their way. (2) That the League and Covenant was the first foundation of their victories and successe, and of the ruine of the Malignant party in England. We need not

<sup>1</sup> *One*, in print.

<sup>2</sup> *Sic* for haply.

<sup>3</sup> *gad*, in print.

put them in minde at what low ebb the Parliaments forces were at the contriving thereof, and how soon the Lord gave testimony from heaven, by victory over the enemy, of His approbation of the same, and how from that day forward they prospered, and the enemy fell before them still. (3) That the Lord hath always been a severe Avenger of the breaches of Oathes and Covenants, personall and which concerns the things of men, much more nationall and which concerns the things of God. (4) That never any perverted the Truth and corrupted the Worship of God and prospered. (5) What shall be the advantage; nay, how great shall be the losse of all the expence of blood and of pains that these Kingdoms have been at, if for all this we shall reap no thing but Toleration and confusion. Have we laboured in the fire to remove one corrupt Religion and to bring in many in its stead, to put down Tyrannie and set vp Anarchie? (6) Whether this be such a testimony of gratitude as the Lord calls for at their hands, in lieu of all His mercies and giving vnto them victory over all their enemies. (7) Whether such things beseems those who would be called saints, and pretend to be for the Lord, and vse His name in all their professions and vndertakings. (8) Whether such proceedings do not bring a sad reproach and heavy imputation vpon the work of God in these Kingdoms. In nothing do the Popish, Prelaticall, and Malignant party more insult; and is it a light matter to cause the enemies<sup>1</sup> to blaspheme? (9) How sore the weak are stumbled, and the hearts of the godly throughout all the Protestant Churches wounded. We have suffered many things, but nothing so heavy to our spirits as this. (10) If such a way be not contrary to the whole strain of Gods Word, and to the practise of all the saints since the beginning of the world vnto this day. (11) What shall be the end of these things, and the many sad and dolfull consequents that shall follow therevpon. If from these and the like considerations any be moved to take warning to desist from the evil of their way, we shall therein rejoyce and glorifie God on their behalf. But if they shall refuse to hearken, we have discharged our consciences, and in the name of the Kirk of Scotland, whose servants we are, we do dissent from and protest against such proceedings, as destructive to Religion, the Solemn League and Covenant, the work of Vniformity, and the Civill Government; and shall wait for the salvation of the Lord.

‘In the next place, albeit we do not desire to adde sorrow vnto

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<sup>1</sup> *Enemy*, in print.



any mans affliction, but rather, if any suffer for righteousnesse sake, to comfort him; yet we were not faithfull if we did not put our brethren in England in minde of their slothfulnesse and negligence in the Lords work, that in this day of their trouble they may be humbled because of their want of zeal for God and His Cause. The Lord put into the hand of the Parliament of England many pretious opportunities and fair occasions to have extirpate<sup>1</sup> Popery, error, heresy, schisme, and prophanesse, and to have established Reformation and the Government of the House of God. Many Petitions and Supplications from many in England, and Declarations and Remonstrances and letters from the Parliament and Generall Assembly, and their Commissioners in this land, were tendered vnto them concerning this thing. Yet notwithstanding of all these did they still suffer the House of God to lie waste, and the evill to grow, which had been easily resisted in the begining, but now is gone over the face of the land like a flood, and hath troden vnder foot their owne power and authority. It hath been the Lords way in carrying on of His work to stain the pride of all glory, and to breake and put down all those powers that have not exalted Himself<sup>2</sup> and promoted the Kingdom of His Sonne. And though we doe not justifie those insolent attempts vpon the Houses, yet we cannot but desire the members to behold the hand of the Most High, and to read their sinne engraven in their judgement. It is a righteous thing with the Lord to abase all those that will not honour Him. The Lord certainly hath a great controversy against them for encroaching vpon the Royall Scepter of Jesus Christ, and denying vnto Him any externall Government over His House, but such as is dependent vpon them, by assuming vnto themselves the vltimate decision of all Ecclesiastick causes and Kirk censures. And doubtlesse the Lord is also highly displeased with their proceedings in the Treaty at Newport, in reference to Religion and Covenant, concerning which they accepted of such concessions from his Majesty as was<sup>3</sup> dangerous and destructive vnto both. We wish that they may not<sup>4</sup> now at last see their negligence and presumption in these things, and be men of wisdom to hear the voice of the rod, and who hath appointed it. If their soul be humbled for their sinne, and if they shall take vpon them the vows of God for giving vnto Jesus Christ His due, and doing whatsoever is comanded by the God of Heaven for the House of the God of

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<sup>1</sup> *Extirpated*, in print.

<sup>3</sup> *Were*, in print.

<sup>2</sup> *Him*, in print.

<sup>4</sup> *Not*, omitted in print.

Heaven, who knowes but the Lord may take away their reproach and restore them to their dignity and power?

‘And though we doubt not but many in England have these years past mourned for the desolations of the House of God, and for the rise and growth of so many errours in that land, and have poured forth their supplications before the Lord for a remedy of these things; And that we are not ignorant what a considerable number of Ministers have done in their sermons and printed books and testimonies; yet we shall desire all that love truth and holinesse in that land to consider whether they have so timeously, and with that courage and zeal that was convenient, appeared for the Lord, and acquit themselves in their duty in reference to Religion and the Solemn League and Covenant; and if any find themselves faulty, to mourne for it, and to pray for mercy and more of the Spirit of Christ, that they hereafter be more faithfull, and do their duty boldly and without fear. As many in England mourned with vs in the day of our distresse before the Lord in our behalf, so we and all the godly in this land pour forth our supplications to God in private and in publick for them. And albeit we will not take vpon vs to prescribe, yet as the servants of the Living God, who have obtained mercy in some measure to be faithfull, and have found such a way to be profitable amongst ourselves, we exhort all our brethren in England to acknowledge their iniquities before the Lord, especially the breaches of that Solemn League and Covenant which was so publickly sworne before God, angels, and men, and to renew their Oath and vowes in His sight, which we doubt not, if gone about in sinceritie, shall be attended with a blessing and successe from heaven. It hath been the Lords dispensatioun<sup>1</sup> in these Kingdoms, for the most part, to leave a branch of hope in the one Kingdom when the other was like to perish, and to suffer enemies to grow to a great height of insolency and power, and then to bring them down. And therefore, albeit the floods lift vp their voice and make a noise, yet we know no cause why the Lords people should wax faint or cast away their confidence. The Lord on high is more mighty then the noyse of many waters, yea, then the mighty waves of the sea. His word is established in heaven and His testimonies are very sure. And beside the many great and precious promises which He hath given vnto vs, and His goodnesse to His saints of old, He hath furnished His people in these lands with so many experiences of His mighty

<sup>1</sup> *Dispens[ati]on*, in print.

hand and stretched-out arme, working salvation and delivery for them, that it were a shame for any of<sup>1</sup> them to wax faint and not to believe. For yet a little while, He that shall come will come, and will not tarry. Now the just shall live by faith, but if any man draw back, His soul shall have no pleasure in him.'<sup>2</sup>

Quodquen and  
Libbertoun.

Concerning the petition of the Presbyterie of Biggar to the Parliament for adjoying Quodquen<sup>3</sup> and Libbertoun, the Commission of Assembly humbly recomends the said petition to the honourable Estates of Parliament, and appoints Mr. James Hamiltoun and Mr. Mungo Law, with my Lord Craighall, to assist the presenters thereof to the Parliament.

Robert Graham.

This day a letter read from Mr. John Freebairne, together with the declaration of Robert Grahame.<sup>4</sup> The Commission having considerit the same were not sufficiently satisfied therewith, and therefore desire the Presbyterie to labour yet with him for a more particular confession and sense of his offences, and to report.

The next meeting the morne at 10 heures.

*Edinburgh, 17 Januarij 1649.*

The brethren present continues the meeting vntill the morne at 10 heures.

*Edinburgh, 18 Januarij 1649.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*: Mr. Samuell Rutherford: Mr. Patrik Gillaspie: Mr. Ephraim Melvill: Mr. George Leslie: Mr. Andro Affleck: Mr. Alexander Livingstoun: Mr. John Knox: Mr. Hew Kennedy: Mr. Patrik Colvill: Mr. Thomas Donaldson: Mr. James Hamiltoun: Mr. James Gutterie: Mr. Patrik Sharpe: Mr. Andro Dunkison: Mr. Robert Ker: Mr. George Bennet: Mr. Alexander Dickson: Mr. John Chalmers: Mr. William Jameson: Mr. John Home: Mr. John Livingstoun: Mr. John Lawder: Mr. Thomas Henderson: Mr. John Smith: Mr. Alexander Turnbull: Mr. Andro Wood. *ELDERS*.—Dundas: Whytbank: Mr. Alexander Peirson: Mr. Robert Burnet: William Browne.

Mr. John Durie.

The Commission appoynts Mr. James Hamiltoun and Mr. James Gutterie to assist the petition of the Presbyterie of Lythgow for setling Mr. John Durie at Dimmane.<sup>5</sup>

Lanerk.

<sup>1</sup> *Amongst*, in print.

<sup>2</sup> Signed 'A. Ker' in print.

<sup>3</sup> Or Quothquan. Adjoined to Libberton in 1648, again disjoined in 1649, and finally adjoined in 1699.

<sup>4</sup> See vol. i. p. 514 of these Minutes.

<sup>5</sup> *i.e.* Dalmeny. Durie was a man 'of most rare and lofty gifts of preaching' and not without a dash of humour.—Scott's *Fasti*. The date of his settlement given there is incorrect.

The Commission appoynts Messrs. James Hamiltoun, Mungo Law, Alexander Livingstoun, with Mr. Alexander Colvill and Mr. Robert Burnet, to assist the petition from the toune of Lanerick for redresse of their great losses.

This day some Members of Parliament came from the Parliament with their Lordships returne vpon the Testimony against Toleration lately communicate to them; Tenor of which returne follows:—

*Edinburgh, 18 Januarij 1649.*

*'The Return<sup>1</sup> of the Estates of Parliament vnto<sup>2</sup> the Testimony communicated vnto them by the Commissioners of the Generall Assembly, and their concurrence with the same.*

'The Estates of Parliament presently conveened, taking to their most serious consideration the seasonable Testimony against Toleration and the present proceeding<sup>3</sup> of Sectaries and their Abettors in England in reference<sup>4</sup> to Religion and Government, with an Admonition and Exhortatioun to their brethren there from the Commissioners of the Generall Assembly of the Church<sup>5</sup> of Scotland, communicated vnto<sup>6</sup> them by yow; And pondering the present sad and strange condition of affairs in their nighbour Kingdom of England, represented therein and in severall other papers come to their knowledge, They do return vnto<sup>6</sup> yow their hearty thanks both for your good correspondence (which the<sup>7</sup> Parliament will with all cheerfulness entertain), and for your great care and faithfulness in giving such necessary and seasonable Warnings and Testimonies against the dangers of the times on all hands at all occasions; And do heartily concur in the grounds thereof against Toleration and the present proceedings of Sectaries in England in reference to Religion and Government, and in the admonitions and encouragements so fully exprest in the said paper; and do most willingly adde this our Testimony therevnto: That our brethren of England may be the more moved by the mouth of two witnesses, and especially such as together with them stand and fall, and are covenanted with them for mutuall good, to lay those<sup>8</sup> things to heart, and to abstain from all such sinfull and dangerous

Return of the  
Parliament  
vpon the  
Testimonie.

<sup>1</sup> *Acts of the Parliaments of Scotland*, vol. vi. pt. ii. pp. 140-141. The chief variations between these Minutes and the *Acts* are noted below.

<sup>2</sup> *Upon.*

<sup>3</sup> *Proceedings.*

<sup>4</sup> *Relation.*

<sup>5</sup> *Kirk.*

<sup>6</sup> *To.*

<sup>7</sup> *This.*

<sup>8</sup> *These.*

courses ; and the faithfull not to faint vnder these afflictions, or to omit any necessarie testimonies<sup>1</sup> or duty against the corruption of the time. And because there have been severall aspersions published in printed pamphlets, for the strengthening of the hands of those<sup>2</sup> who go on in these sinfull wayes, and for discouraging the hearts of those who are suffering vnder them ; Therefore the Estates of Parliament, after diligent enquiry at all the members of this Court, vpon their publick and solemn oath, both concerning themselves and others, Do declare, and can assure their brethren of England, that they can not finde that either this Kingdom or any person thereof had any knowledge of, or accession vnto,<sup>3</sup> the late proceedings of the English Army in relation to the Kings person, or the Houses, and restrained members thereof ; but are very confident there is no ground for such aspersions. On the other hand, so soon as this Parliament was conueened and constituted, and heard of the present posture of affairs, They being no wayes satisfied with their proceedings, and the reasons thereof published to the world, and being convinced of the dangerous consequences thereof, and calamities likly to follow therevpon, They did give present instructions to their Commissioners vpon many reasons, founded on the obligatiouns and declarations made between and by both Kingdoms (of which the matter of fact is fully expressed by<sup>4</sup> the paper given in by our Comissioners on the 5 of Januarij instant to the Speaker of the House of Comons in our name, and according to our minde, herewith<sup>5</sup> comunicated vnto yow), to presse a delay of all<sup>6</sup> procedours against the Kings person, the Prince his right of succession, or the fundamentall Government of the Kingdom, vntill this Kingdom were heard to represent their interest and desires ; And in case of their refusall, that they should enter in the name of this Kingdom their dissent and protest, That, as this Nation is free from all knowledge of and accession to these designes and practises, so they may be free of all the calamities, miseries, and confusions which may follow therevpon to these distracted Kingdoms. And as our constant resolution and earnest desire to preserve inviolably the peace and vnion between<sup>7</sup> the Kingdoms will evidently appear to any who will read (beside<sup>8</sup> all our former actions and sufferings for it) our Act<sup>9</sup> of Indiction of this present Parliament, and our Act<sup>10</sup> repealing all past in the last

<sup>1</sup> *Testimony.*<sup>4</sup> *In.*<sup>7</sup> *Betwixt.*<sup>8</sup> *Besides.*<sup>2</sup> *All these.*<sup>5</sup> *And herewith.*<sup>9</sup> *Act of approving the.*<sup>3</sup> *To.*<sup>6</sup> *All these.*<sup>10</sup> *Act of.*

Parliament or Committee of Estates for the late vnlawful Engagement against England ; And as ye are witnesses of our keeping of<sup>1</sup> solemn day of Humiliation, not only for our owne sins and miseries, but also for the sins and distresses lying on our dear brethren, and for seeking the Lords direction to ws, that we may know and perform all the duties which the Lord requires of ws at such a time, after such judgements and deliverances on His part, such an Acknowledgement and renewed Covenant on our part, not only in relation to our own affairs at home, but also to what may concerne Religion, King, and Kingdoms, according to the Solemn League and Covenant, in these vnited Nations, so we declare that it is our constant resolutions,<sup>2</sup> with Gods assistance, to give all seasonable Testimonies, and do all necessary duties within our power and calling, for the preservatioun of the begun Reformatioun against Toleration of all Religion, and of the fundamentall Government against anarchy and confusion ; and for continuing and preserving the peace and vnion between<sup>3</sup> these Kingdoms, and all the Bands thereof, so often acknowledged and expressed in their Treaties, especially on King, on Covenant, one Religion, and for the observance of the manifold Declarations emitted between<sup>3</sup> and by both Kingdoms to the world, in the positive and necessarie duties for pursuance of all the ends of the Solemn League and Covenant. And to this effect we are and shall be most ready to deal and interpose in all earnestness and sincerity of heart, and by all lawfull and necessary means, with all whom it may concern for setling truth and peace in these Kingdoms vpon the grounds and propositions so often agreed vnto, and so long insisted vpon, by these two Nations, and vpon what further shall be found safe and necessarie for the removing of these distempers, and preventing new issues of blood,<sup>4</sup> calamities, and confusions in these Kingdoms, which the Searcher of hearts knoweth to be the earnest desire and firm resolution of this Court and Kingdom.

*Subscribitur, Lowdown Cancell,  
I. P. D. P.'*

*' Vnto the honourable Estates of Parliament the Commission of the Generall Assembly, humbly sheweth—*

*' That whereas your Lordships, in pursuance of the ends of the Solemn League and Covenant, and your late resolutions concerning the duties therein contained, are now about the purging*

*Supplication.  
The Comission  
of the General  
Assembly to  
the Parliament  
for purging of  
the forces.*

<sup>1</sup> *A.*

<sup>2</sup> *Resolution.*

<sup>3</sup> *Betwixt.*

<sup>4</sup> *Bloody.*

of the judicatories and places of power and trust, that Malignant and scandalous persons be no more set over the Lords people;<sup>1</sup> And it is a duty vndertaken by your Lordships, and a matter of high concernment vnto the cause of God, to see that the forces entrusted by your Lordships be of knowne integrity and good affection to the cause of God, and of a Christian conversation, May it therefore please your Lordships without delay to finde out some accurat and impartiall way of tryall of the integrity of affection and conversation of the officers and souldiers in the severall troupes and regiments and garisons entrusted in the late service of the Kingdom; That if any who have been in the late Engagement be found to bear office, or if any vther officer or souldier be among them who have vttered speeches savouring of Malignancy, Sectarisme or error, or evidenceing their disaffection to the cause or to the present Government, or tending to alienate the peoples mindes from the League and Covenant, or wishing and expecting such a change as malignant and prophane men wait for, and testifying their readines to turne about with every change; or if any plunderer, oppressour, or scandalous person in anything, sall be found among the foirsaid forces, horse or foot, the said person or persons being convict may be casseered and put from his service, and not to be admitted thereafter in any other troope or company of the forces levied or to be levied in this present service.

‘ And because there is a great complaint and outcrying that many well affected vassalls and tennents who have faithfully adhered vnto the cause of God in the late trialls, and served your Lordships in taking armes against the persewers of the late Engagement, are greivously oppressed and quartered vpon for the maintenance payable by the heretors and their chalmerslanes, That your Lordships will be pleased, speedily and effectually, to goe about the redresse of these wrongs, and prevention of the like for the time to come, that well affected tennents be not ruined and vndone by bearing the burden of

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<sup>1</sup> The reference here is to the ‘Act of Classes,’ imposing disqualifications varying with their varying degrees of accession, on all who had been concerned in ‘the late sinfull Engagement.’ It is given at length in *Acts of the Parliaments of Scotland*, vol. vi. pt. ii. pp. 143-147.

disaffected heretors, or any others quhatsoever, and other suffer not for their deficiency. So shall the people know that your Lordships layes to heart their sufferings and oppressions, and their hearts shall be further engaged to your Lordships for the fruits of your good Government, when they shall finde this sensible demonstration thereof.'

The Comission appoints Messrs. James<sup>1</sup> Mr. Patrik Gilaspie to preach to the Parliament, and Mr. George Bennet and Mr. Alexander Livistoun in the Tron Kirk.

*'Vnto the right honourable the Estates of Parliament now presently conveened, the humble petition of the Comissioners of the Generall Assembly.*

'That quheras the Kings Majestie be his gift having allowed to the Vniversitie of St. Androis furth of the rents of the Bishoprick and Pryorie of St. Androis the sowme of ane thousand pund sterling, and declared with consent of his Parliament the tyme of the giving of the said gift That the excrescens of the rents of the said Bishoprick and Pryorie sould be bestoued only vpon pious vses; Lykeas his Majestie and Estates of Parliament declared and enacted in the second Parliament of his Majestie, in the Act concerning valuation of teyndes and planting of Kirks, That all the teyndes of Bishopricks sould be applied towards the maintenance of the Ministerie, Vniuersities and Colledges, and vther pious vses, and to no other vse, and that all gifts and signatours given and granted for any other vse to be null of themselves; Notwithstanding whereof certane persons have obtained signatours and gifts of the excrescens of the said rent; And in particular my Lord Halkertoun<sup>2</sup> hes obtained on signatour or gift, wherein is dispo-  
Petition in the behalf of the Vniversitie of St. Andrewes, and pious Mortificationns.

ned not only a great part of the said excrescens, bot also even a great part of the old rents of the New Colledge of St. Androis, which is not only a great prejudice to the said Vniversitie, but also a dangerous preparative for others to attempt the lyke in tyme comeing; Heirfore we most humbly beseeke your Lordships to rescinde and declair null the said

<sup>1</sup> Name omitted in ms.: perhaps Guthrie.

<sup>2</sup> See note, vol. i. p. 349.



gift obtained by the said Lord Halkertoun, that it be of no strength nor effect in tyme comeing, with all other gifts and ratificatiouns (if any be) granted in prejudice of the said Vniversitie in maner aforesaid; And to that effect that your Lordships will be pleased to give warrand to cite the said Lord Halkertoun to hear and see the samen granted; And that your Lordships would declare by your Act that no gift be passed in tyme cuming of that excrescens to any person or persons quhatsumever, but only for pious vses towards the maintenance of the Kirks and Vniversitie of St. Androis: As also that your Lordships would passe an Act, That no rents mortified to Vniversities, Schooles, or any vther pious vses, suffer any diminution be quhatsumever maner of way in tyme comeing. And your Lordships answer most humbly we expect.<sup>1</sup>

The next meeting at 2 houres.

*Eodem die, post meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*: Mr. Patrik Gillaspie: Mr. Samuell Rutherford: Mr. Andro Affleck: Mr. William Jameson: Mr. John Home: Mr. James Gutterie: Mr. John Smith: Mr. Ephraim Melvill: Mr. Patrik Sharpe: Mr. John Livistoun: Mr. Thomas Henderson: Mr. Alexander Livistoun: Mr. Thomas Donaldson: Mr. Robert Ker: Mr. Patrik Colvill: Mr. James Nasmith: Mr. George Leslie: Mr. Robert Lawder: Mr. James Hamiltoun: Mr. John Knox: Mr. George Bennet: Mr. Hew Kennedy: Mr. Andro Wood: Mr. David Strachan: Mr. John Sinclair: Mr. Robert Duncason: Mr. Alexander Turnbull: Mr. Alexander Dickson. ELDERS.—Dundas: Mr. Alexander Colvill: Mr. Robert Burnet: James Sword: William Browne: Gideon Jack.

The Commission of Assembly appoints the Testimony against the errors and practises of Sectaries, with the Parliaments Returne to the Comissioners at Lunden, to be delyvered, and that an letter be written to them for that effect; As also that an Letter be written to the Ministers of the Province of London. Tenor of these letters followes:—

‘REVEREND BRETHREN,—Albeit we have given a libertie vnto our brother, Mr. Robert Blair, on of your number, to returne

<sup>1</sup> The answer was given by passing the Acts in favour of the University of St. Andrews and others, recorded on pp. 149, 150, 151 of the previously mentioned vol. vi. pt. ii. of the *Acts of the Parliaments of Scotland*.

hither, yet in regard the Commissioners of the Estate conceive that he is vsefull vnto them, and that he may also encourage the Ministerie of the Province of London and other of our friends in this day of their trouble and triall, we hope that he will be verie tender of making vse of that libertie. We have found it necessarie to give this Testimony against Toleration and the present proceedings of Sectaries in England, which therefore yow will be pleased to deliver to the Houses or Speakers to be comunicat vnto them. We have also written to the Ministers of the Province of London for their encouragement, which yow will be lykewyse carefull to cause deliver vnto them, together with a copie of the Testimony and our Parliaments Returne, which they have sent to their Comissioners. We have no more to say at this tyme, but recomends yow in these difficult affaires to the speciall direction of our Lord, and remain,

Your affectionat brethren,

*Edinburgh,*  
18 Januarij 1649.

THE COMISSIONERS

OF THE GENERALL ASSEMBLY.

‘RIGHT REVEREND AND WEL-BELOVED IN OUR LORD JESUS,—  
If our soules wer not greived at the calamitous condition and  
sad pressure wherewith the Lord, who hath His fire in Zion and  
His furnace in Jerusalem, hath afflicted yow, we could not but be  
vnder the woe, pronounced by the mouth of the Lord, against  
those that are at ease in Zion, and remember not the affliction of Joseph. Yea, we conceive it our dewtie to testifie our  
brotherlie condolencie and compassion towards yow, as being  
in bonds with yow, and desireous through our fellow-feeling  
to share with yow in these remnants of the afflictions of Christ,  
and in our approaches to the Throne of Grace to remember to  
God your sufferings with fasting and teares.

Letter to the  
Ministers of the  
Province of  
London,

‘And as we are confident that the Lord choiseth His owne in the furnace, so doth He make way through all these confusions, that this Island of Bretane may be at length a crowne of glorie in the hand of the Lord, and a royall diademe in the hand of our God. And as we conceive, this is the tyme in which the Lord calleth yow to give a second publick Testimony to His trueth against all the errours and corruptions of the tyme, since now

He pleadeth with that nation for breach of Covenant, as of old He did with His people, 'Turne, O backsliding children, saith the Lord; for I am married vnto yow; and I will take yow on of a citie, and two of a familie; and I will bring yow to Zion.' And as the on part of the Island hath renewed the Covenant with God, so He calleth the other part, and yow in particular of that citie to goe before the rest of the land in the same dewtie, and to be strong in the Lord and in the power of His might in pleading for the establishment of the Government of His Sonne Christ by Assemblies and Presbyteries, that so yow may build the old waste places, and repair the desolations of many generatiouns. Wee need not put yow in mynde that the incursions of the wild boares of the forrest vpon the Vineyard of the Lord cannot but flow from the not seting vp of the hedge of discipline, and that when in the Kirk of Christ there is not on Lord, on Faith, on Baptisme, there must arise many false Christs and false prophets, insomuch (that if it were possible) they sould deceive the very elect. As therefore (Dearly beloved in the Lord) your testimony formerly given was to ws and to the Reformed Kirks no lesse refreshing then the raine vpon the new mowen grasse, so give ws leave to beseech yow in the Lord Jesus, since the eyes of the Lord are vpon yow, and angels and men and all the Reformed Kirks in the world are witnesses of your actions and sufferings, to acquyte yourselves as the Ambassadors of Jesus Christ, and without fear of men or fainting in this day of Jacobs trouble, to give seasonable warning to all the Kingdome of the sad and dangerous consequences of Irreligious and Licentious Tolleration of all Religions, the Idoll of indignation in that land that provocketh the eyes of His glorie, of altering the ancient and well established Government of the Kingdome, of the horrible blasphemies, heresies, and errors now abounding in the land, of Anarchie, abolishing of Magistracie, the sacred ordinance of God, which we cannot but looke on as the begining of woes, a seminarie of all violence, vnjustice, and oppressions, the continueing and increasing of the troubles of Britane, the vtter dissolving of all humane societies, the ruine of that famous Nation and Kirk, and which is most fearfull, the displaying of a banner against the Lord, and the kindleing of His wrath against the land which sall burne to the

bottom of Hell, as our Testimony, which we have sent vnto yow, doth (we trust) in some part discover. And as is well knowne to your selues, we are confident (dear brethren) that yow mynde the pretious promises of the Lord made to those who keepe the word of His patience, [that they] 'shall be kept from the hour of temptatioun which shall come on all the world to try them that dwell vpon the earth.' And we cannot but out of our owne experience shew yow how the Lord hath been graciously pleased to cary vs through against the powers of the disaffected partie of this Kingdome, who endeavoured no lesse then the casting downe of all we builded these yeares bypast; and that it is now our joy and consolation that the Lord did disappoint them, vphold vs, and make good the word of His weak servants, who desire to be faithfull in His Cause and Covenant. There sould be cause, we acknowledge, to fear their fear, and to be discouraged, if we were not perswaded that the patrones, favourers, and abettors of these blasphemies and impure heresies had indicted warre against the Lord and His Christ. But since the Lord of Hosts is with yow, we hope, as His high Name is engaged in this Covenant and Cause, neither Babylon nor Edome shall prevaile. But as the Lord hath shaken the throne of Antichrist, so will He lay waste the mountaine of Edome.

'Therefore, being confident that the Lord shall make yow stedfast, vnmoueable, alwayes abounding in the worke of the Lord, and sall incourage yow to renew the Covenant with the Lord, wee humbly beseech the God of Peace, that brought againe from the dead our Lord Jesus, that great Shepherd of the sheepe, through the blood of the everlasting Covenant, to make yow perfect in every good worke to doe His will, working in yow that which is well pleasing in His sight, through Jesus Christ.

Your loving brethren and servants in the Lord,

*Edinburgh*  
18 Januarij 1649.

THE COMMISSIONERS  
OF THE GENERALL ASSEMBLY.'

The Commission of the Generall Assembly doe seriously Town of  
recomend to the honourable Estates of Parliament the petition Lanerk.  
of the toun of Lanerk for redresse of their losses, and appoints  
Messrs. James Hamiltoun, Mungo Law, Alexander Livistoun,

and Alexander Colvill, and Mr. Robert Burnet to assist their supplication thereanent.

Translatioun of  
the Catechismes  
and Confes-  
sion.

The Commission of the General Assembly, considering how profitable it will be to the Kirks abroad that the Confession of Faith and Catechisme be translated in Lataine, Therefore they seriously recomend to Mr. John Adamson and Mr. Thomas Craford to doe the same with diligence.<sup>1</sup>

The next meeting the morne at 10 houres.

*Edinburgh, 19 Januarij 1649, ante meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Samuel Rutherford : Mr. John Adamson : Mr. Ephraim Melvill : Mr. Alexander Livistoun : Mr. John Row : Mr. John Chalmer : Mr. David Strachan : Mr. John Lawder : Mr. James Hamiltoun : Mr. James Gutterie : Mr. Robert Ker : Mr. George Bennet : Mr. Hew Kennedy : Mr. Thomas Henderson : Mr. John Sinclair : Mr. Alexander Turnbull : Mr. John Home : Mr. Patrik Sharpe : Mr. John Knox : Mr. Thomas Donaldson : Mr. John Smith : Mr. Alexander Dickson : Mr. Patrik Colvill : Mr. George Leslie. ELDERS.—Dundas : Whytbank : Mr. Alexander Pearson : Mr. Robert Burnet : William Browne.

Concerning the petition of Dame Christian Ruthven, complaining that shee is debarrit from the Covenant and Communion by Andro Duncason, as also being in the Church to hear and sie the same done and performed by others, the Comission refers and recommends the said matter to the Presbyterie.

The Commission having received a letter from Generall Collonell Munck, Doe returne this answer :—

Letter to  
Generall Major  
Munck.

‘RIGHT HONORABLE,—We doe kyndlie accept of your letter directed to ws of the date 14 December 1648, expressing how farre yow intend to be from obstructing of Presbyteriall Government, or the other pious ends of the Covenant in that countrey, together with your purpose to make it your constant endeavour to advance Christs Kingdome, the worke of Reformatioun, and the Vnitie of the well affected of both Nations. We

<sup>1</sup> The earliest Latin editions known to me, however, are the Cambridge ones of 1656 and 1659, having at the end of the prefatory note the initials G.D. The Edinburgh edition of 1660, and the Glasgow one of 1670, are simply reprints of the Cambridge one, and have the prefatory note with the same initials, which are not those either of Adamson or Craford.

have also received letters from our Reverend brethren of the Presbyterie there, expressing the experience which they have already of your noble concurrence and countenance afforded to them in the discipline of the Kirk, and their verie good hopes that yee will continew to strengthen their hands in all the work of the Lord, and particularlie in the fairsaid discipline, Vnto which our Reverend brother, Mr. Andrew Stewart, (who came from the said Presbyterie to us) hath added his large testimony. We can only exhort yow (in the name of the Lord Jesus) to continue your endeavour for the establishment of Presbyteriall Government, and mantaining all the Articles of the Covenant, and such as adhere thereto in these parts where God hath given yow charge, In doeing whereof God will enable yow (according to your professed intention) to advance His Kingdom, the worke of Reformatioun, and the vntie of them who are indeed well-affected to truth, holines, and righteousness in these Kingdomes. And thereby the hearts of all these thowsands of Gods covenanted people who are in that Kingdome of Ireland will be firmly knit vnto the Cause, and to all these who are stedfast and zealous in the pursuance thereof. Wee are not ignorant that yow will be tryed by insinuations and entycements on the one hand, and by strong opposition on the other hand, both from Sectaries and Malignants. But be strong in the Lord and in the power of His might, cleave to His truth, and the truth shall make yow free, and, further, it will preserve yow and cary yow through all difficulties maugre all opposition; Which that yow may be strengthened against and further enabled to all good dueties, according to your station, shall be the constant prayer of,

Your affectionat friends to serve yow,

Edinburgh  
19 Januarij 1649.

THE COMMISSIONERS  
OF THE GENERALL ASSEMBLIE.'

'Direct:—*For the Right Honourable Generall Collonell George Monck these with our due respects present.*'

The Comissioners of the Generall Assembly, taking to consideration the petition given in to them in name of the towne and paroch of Stirling for some Ministers to be appointed to tender the Solemne League and Covenant vnto them, and

Commission to  
Mr. James  
Hamiltoun and  
others to goe to  
Stirling.

pondering how necessarie it is that the renewing of the Covenant be not delayed till the vacand places of the Ministerie there be filled, and that the Presbyterie there is vnder triall and visitatioun by Ordinance of the late Generall Assembly, Doe therefore nominat and appoint Mr. James Hamiltoun, Minister at Edinburgh, Mr. James Durhame, Minister at Glasgow, and Mr. Ephraim Melvill, Minister at Queensferrie, to repair to Stirling the                      day of                      , and there to convene the Session, and try the members of the said congregatioun and the garrison there, if any have had accession vnto the late Engagement; With power to the said Session, and Ministers joined with them, to receive and admit persons vnto the acknowledgement of their sinne and offence of accession to the said Engagement, and thereafter vnto the re[ne]wing of the Covenant, and to debar and suspend from the renewing of the Covenant, from the Sacrament and Ecclesiasticall judicatories, according to the Act and Explanatioun sent by this Commission to the severall Presbyteries; And if any questionable cases come before them to refer them to this Comission: Lykeas the foirsaid Ministers are hereby ordained to intimate the renewing of the Covenant vpon the                      day of                      , and to keepe the Humiliation, and to tender the Covenant vpon the                      day of                      , conforme to the publick Acts and Order prescribed thereanent, and the foirsaid persones to report their diligence at the nixt quarterly meeting.

Order to Mr.  
John Smith for  
drawing the  
Table of Incest.

The Commission of Assembly, vnderstanding that the Committee of Parliament appointed for the Overtures thinke it necessary before a perfect Act can be past in Parliament for punishing of incest by death, according to the Law of God, that the degrees of incest were cleared; And for this effect the Comission appoints Mr. John Smith to draw a table of the forbidden and vnlawfull degrees of consanguinity and affinitie for marriage, and to report to the Comission.

The nixt meeting vpon Tuesday after sermon.

*Edinburgh, 23 Januarij 1649, ante meridiem.*

The brethren present continues the meeting till afternoon.

*Eodem die, post meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. John Smith : Mr. James Gutterie : Mr. Patrik Gillaspie : Mr. Mungo Law : Mr. Patrik Colvill : Mr. David Strachan : Mr. William Row : Mr. James Hamiltoun : Mr. Thomas Donaldson : Mr. Patrik Sharpe : Mr. George Leslie : Mr. Samuell Rutherford : Mr. James Fleeming : Mr. Alexander Turnbull : Mr. Alexander Livistoun : Mr. George Bennet : Mr. John Home : Mr. John Livistoun. ELDERS.—Lord Cassills : Lord Advocat : Lord Craighall : Sir James Hacket : Laird Creich : Lochtour : Whytbank : Mr. Alexander Colvill : Mr. Alexander Pearson : Mr. Robert Burnet : William Browne.

The Commission appoints a letter to be written to the Synod of to try the particular scandals that are vented vpon Robert Monroe of Obstale, and to report their diligence.

Robert Munro  
of Obstell.

The Commission of Assembly refers Collonell Hew Montgomery to the Presbyterie of Air, that he may bring from them a testimony of his cariage in relation to the late Engagement.

Col. Heugh  
Montgomerie.

The Commission appoints Mr. John Row and Mr. Thomas Donaldson to preach to the Parliament, and Mr. John Home and Mr. John Heart to preach in the Tron Kirk the next Sabbath.

The next meeting the morne at ten houres.

*Edinburgh, 24 Januarij 1649, ante meridiem.*

The brethren present continues the meeting till the morne afternoon.

*Edinburgh, 25 Januarij 1649, post meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. John Row : Mr. John Knox : Mr. Thomas Vassie : Mr. George Leslie : Mr. John Livistoun : Mr. Hew Kennedy : Mr. George Bennet : Mr. James Gutterie : Mr. Patrik Gillaspie : Mr. William Row : Mr. Alexander Dunlope : Mr. Samuell Rutherford : Mr. David Strachan : Mr. Samuell Austain : Mr. Alexander Turnbull : Mr. Alexander Livingstoun. ELDERS.—Whytbank : Mr. Alexander Pearson : Mr. Robert Burnet.

The Commission of Assembly appoints Messrs. Samuell Rutherford, John Livistoun, James Gutterie, Mr. Patrik Gillaspie, and Mr. Alexander Peirson to draw a drawght of a Petition to the Parliament for dischargeing Patronages of Kirks, and that the Clerk be with them and furnish them some grounds out of the Books of Discipline and Acts of Assembly.



The Commission appoints Messrs. James Hamiltoun and John Smith to revise the table containing the degrees of incest, and to report.

This day the Overtures to be given in to the Parliament being read, the Comission appointed them to be given in to the Comittee of Overtures to be presented to the Parliament, and that Messrs. John Row, John Livistoun, James Gutterie, Patrik Gillaspie, Fredrick Carmichaell, and Mr. Alexander Peirson manage the bussines at the Comittee and Parliament, and attend their answer.

The nixt meeting the morne at 10 houres.

*Edinburgh, 26 Januarij 1649, ante meridiem.*

*Sederunt* :—**MINISTERS.**—Mr. Robert Douglas, *Moderator*. Mr. James Gutterie : Mr. David Strachan : Mr. Thomas Donaldson : Mr. John Knox : Mr. Samuell Austaine : Mr. Charles Archbald : Mr. Alexander Dunloppe : Mr. John Livistoun : Mr. John Row : Mr. Samuell Rutherford : Mr. Walter Gregge : Mr. John Sinclair : Mr. William Row : Mr. Alexander Turnbull : Mr. Robert Elliot : Mr. Thomas Wassie : Mr. James Hamiltoun : Mr. Andro Wood : Mr. Hew Kennedy. **ELDERS.**—Creich : Quhytbank : Lochtour : Mr. Alexander Peirson : Mr. Robert Burnet : William Browne.

Mr. William  
Kinninmont  
to Lawers  
Regiment.

Concerning the petition of the Laird of Lawers, desiring Mr. William Kinninmont to be Minister to his Regiment, the Comission of Assembly, knowing the sufficiency of the said Mr. William for that imployment, and remembring also that they had formerly recomendit him to Presbyteries, Doe therefore appoint him to attend the said Regiment for performing Ministeriall dueties to them.

James Kinin-  
mont.

Concerning the petition of James Kininmont, the Comission of Assembly refuses the desires thereof, finding that he is debarred from the Covenant by the Act of the fourth of December concerning the Explanation of the Act of the sext of October.

Recomending  
Petitions to the  
Parliament.

The Comission appoints Messrs. James Hamiltoun, Thomas Wassie, Samuell Austaine, to assist the petitions of St. Androis and Dumfreis to be presented to the Parliament, and that Mr. James Gutterie and Mr. John Row assist Mr. David Strachans petition to the Parliament for reparatioun of losses.

The nixt meeting the morne at tua houres.

*Edinburgh, 27 Januarij 1649, post meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. John Livistoun: Mr. John Home: Mr. John Row: Mr. Patrik Gillaspie: Mr. Walter Gregge: Mr. James Hamiltoun: Mr. Thomas Vassie: Mr. Alexander Dunlope: Mr. James Gutterie: Mr. Samuell Austaine: Mr. Robert Elliot: Mr. Charles Archbald. ELDERS.—Lord Cassills: Nidrie: Creich: Lochtoure: Whytbanke: Mr. Alexander Peirson: Mr. Robert Burnet: William Browne.

The Comission continues the consideration of James Rosse of Banneill his process, vntill Mr. Alexander Turnbull be present.

The Comission appoints a letter to be drawn that Presbyteries may vse all diligence for tryall of the condition of every kirk within their bounds, conforme to the Recomendatioun of the Generall Assembly, and to send in the report thereof.

Letter to Presbyteries.

The Commission appoints an Overture to be given in to the Parliament for punishing of conceillers and destroyers of conceptions, And for debarring Papists from any power of nomination of persons to places of trust.

Punishment of destroyers and concealers of conceptions.

The next meeting vpon the penult of Januarij at 10 houres.

*Edinburgh, 30 Januarij 1649, ante meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Johne Livistoun: Mr. John Smith: Mr. Alexander Dunlope: Mr. Samuell Austaine: Mr. John Duncan: Mr. John Row: Mr. David Strachan: Mr. Kenneth Logie: Mr. Thomas Donaldson: Mr. George Bennet: Mr. Samuell Rutherford: Mr. James Gutterie: Mr. James Hamiltoun: Mr. Thomas Vassie: Mr. John Knox: Mr. Andro Wood: Mr. Charles Archbald: Mr. Robert Elliot: Mr. Alexander Turnbull: Mr. Patrik Gillaspie: Mr. John Adamson: Mr. William Row. ELDERS.—Craighall: Creich: Lochtoure: Whytbank: Mr. Alexander Peirson: Mr. Alexander Colvill: Mr. Robert Burnet: William Browne.

The Comission thinkes fitt that my Lord Advocat and Mr. Alexander Colvill, Justice-Depute, be consulted concerning the punishment of on Thomas Purves for interrupting of Divine service.

‘RIGHT REVEREND,—Whereas we have been informed that diverse Presbyteries had been negligent in the trialls, and too sudden in the admitting to the reneweing of the Covenant, persons that are disaffected, and to whom the favour granted

Letter to Presbyteries concerning the admitting of persons to the Covenant.

in the Explanatioun of the Act of Comission doth not belong, and that many applications are still made to Presbyteries by Malignants, and men that have been deeply involved in that late Engagement, to be readmitted to the Covenant, Therefore we have thought it necessarie to warne yow that yow be very circumspect and take good heed whom yee admitt to the Covenant, that so the Cause suffer no prejudice by our joyning with the enemies thereof. And for this cause we desire that the trialls of such, according to the rule and direction we have formerly given, may be by your selves and not by your Sessions, and that yow cause register your whole proceedings in every on of your books, and where any questionable caices come before yow concerning the admitting of persons to the Covenant, yee shall refer them hither, and appoint the persons who importune yow for that favour to make their addresses vnto ws. And we cannot conceale from yow that if any person or persons be admitted to renue the Covenant who are not allowed by our Act and Explanation, by the great trust comitted vnto ws wee will be necessitated to proceed against such, and to take notice of the Presbyteries proceedings, in applying the Act appointed by ws to regulat the admitting of persons to the renueing of the Covenant. Yow are lykewise hereby desired to hasten in the report of your diligence, with the last<sup>1</sup> of the persons debarred from the Covenant within the severall parochies within your bounds. And so committing yow to the Lords speciall direction, Wee remaine,

Your loving brethren,

Edinburgh  
the 30 Januarij 1649.

THE COMISSIONERS  
OF THE GENERALL ASSEMBLY.'

Letter to  
Presbyteries.

'REVEREND BRETHREN,—Albeit we have long expected from yow an account of your diligence concerning the provisions and other particulars relating vnto severall kirks within your bounds, according to the Act of the Generall Assembly in the yeir 1647, yet we have hitherto received no satisfaction from yow therein. And conceiving your negligence in this to have been very prejudiciall to the settling of your severall kirks, and that a perfite account of these things would contribute very

<sup>1</sup> *Sic* in MS., probably for *list*.

much for furthering the same, Therefore we doe now desire, as yow would not wish the blame to lay longer vpon yow, to take paines for setting downe the names of all the paroches within your bounds, with declaration which of them have Ministers, which not, what is the largenes of the bounds, comodious or incomodious situation of each paroch kirk, what is the number of Communicants, what kirks are vnder Patrons, what not,<sup>1</sup> what is the nature and quantitie of the present provision, or possible ground of further provision for competent maintenance, where the same is not sufficiently provided already, as also what paroches are vnited or disvnited or bettered already, and in what measure by the said Comission. And that this may not be neglected nor slighted, we trust that yow will imediatly after the sight hereof name on of your number to take paines herein, and that yow will be carefull to give him your best concurrence and assistance for clearing of all those particulars. Wee will expect a perfect account of all these things against the nixt quarterly meeting in Februarij, or as soone thereafter as possible can be. Wee thinke we shall need to say no more in that bussines tending so much for your owne advantage, and to the good and settling of all the kirks within this Kingdom, but commends yow to the grace of God, and continues,

Your affectionat brethren,

*Edinburgh*  
30 Januarij 1649.

THE COMISSIONERS  
OF THE GENERALL ASSEMBLY.

‘Wee pray yow be carefull that none of the particulars in the Act of Assembly, and sett doune in our letter, be omitted concerning any of your kirks. It is very licky that these who shall first report their diligence in these particulars shall be first taken in consideratioun by the Comission of plantation of kirks.’

‘RIGHT REVEREND,—Yee shall receive                      copies of the      Letter to  
new Paraphrase of the Psalms at a merk the peece, which yow      Presbyteries.

<sup>1</sup> By Act of Parliament 1642. The Acts of 1567 and 1592 had been recognised as only reserving the patronage of ‘his Majestie and other *laic* patrons,’ and the churches where, before the Reformation, the appointment belonged to bishops, chapters, monasteries, etc., had been recognised as falling to be filled up by the Presbyteries on the suit and calling of the congregations.

will be pleased to peruse carefully, and that yow would amend any fault yow finde in them, and send in your corrections to ws with diligence, for it is not enough to find out faults except yee also set downe your owne essay correcting the same, Receave also herewith Acts of the Assembly at a merke the peece. There were sent vnto yow Explanatiouns of our former Act concerning our debarring of persons from the Covenant, price of the peece of them is 6 pennies. We must intreat yow to send in the prices of all these papers yow have gotten now and formerly with all diligence, that the printer may be payed ; As also that yee will not faile to send in what is due of the tuentie schillings for this and bygone yeires. Wee expect your diligence herein and the report thereof, and so we remaine,

Your loving brethren,

Edinburgh  
30 Januarij 1649.

THE COMISSIONERS  
OF THE GENERALL ASSEMBLY.

*' Vnto the honourable Estates of Parliament the Comissioners of the Generall Assembly, Humbly Sheweth,*

Petition to the  
Parliament for  
abolishing of  
Patronages.

' That whereas the Patronage of kirks hath been an old greivance of this Nationall Kirk now abone these yeires, and often complained of, and the thing itself being not only without anie constitution of this Kirk or warrand from the Word of God, but contrary therevnto, as well in the judgement of the Generall Assemblies of this Kirk as in our judgement, being also verie prejudiciall to the ordinance of God and frie election and calling of Ministers, a humane and Popish institution, grunded on the Canon Law, and inconsistent with our Covenants, contrary to the doctrine and discipline of the Kirk of Scotland, which we have sworne to mentaine, and condemned by the Bookes of Discipline and Acts of former Generall Assemblies in the purest tymes, as we are readie to instruct ; Which grounds we conceive are not only sufficient causes to abrogat any corrupt custome vnwarranted by positive lawes, but to repeal lawes if any were : May it therefore please your Lordships, whom God hath brought out of trouble vnto the Government, to fill vp that which is behind of the Reformatioun, long before intended and vigourously endeavoured by our worthy progenitors, To

abolish by law that corrupt custome of Patronage of kirks and presentatiouns, quherby your Lordships shall evidence your readines in all things to promove the good of the Kirk and of the Lords people, who have long groaned vnder that yocke of bondage, and to yeeld vnto that which diverse generatiouns of the Assemblies of this Kirk hes longed for and have accounted a blemish and want in former Reformatiouns.’<sup>1</sup>

This day letters following from the Comissioners at London wer produced and read, Tenor quherof followes :—

‘RIGHT REVEREND AND HONOURABLE,—The King is now brought hither to Westminster, and scaffolds and railles are made ready in the Hall for his tryall, which wee conceive they intend to begin the nixt weeke, and to proceed therein speedily. Wee have herewith sent yow a Declaration of the present House of Comons, together with the Testimony of the Ministers of London who refused to meet with the Generall and Officers of the Army in their consultatiouns about matters of Religion. Others of the Ministers (most of whose names are sett doune in the margent of the 2d page) testified their dislyke of the Armyes proceedings and intentions at the conferences therein mentioned. So we rest,

Letter from the  
Commissioners  
at London.

Your most affectionat friends to serve,

*Sic Subscribitur,*      Lothian,  
Robert Blair,      Jo. Cheisley.’

Covent Garden,  
the 20th of Januarij 1649.

‘Direct :—*For the Right Reverend the Comissioners of the Generall Assembly of the Kirk of Scotland.*’

‘RIGHT REVEREND AND HONOURABLE,—Last Lords day diverse of the Ministers of London informed the people that it was not the intention of the Covenant to take the Kings life, and earnestly exhorted them to continue stedfast in the Cause and Covenant, and not to be scandalised with the proceedings of others who

Letter from the  
Commissioners  
at London.

<sup>1</sup> On 9th March 1649 the petition was taken into consideration by the Estates, and the ‘Act abolishing Patronages,’ whether belonging to the King or to any laic patron, presbyteries or others’ was passed by them.—*Acts of the Parliaments of Scotland*, vol. vi. pt. ii. pp. 261-262.

went beyond their lyne. The King hath been three severall days before this new extraordinary Court, which the members that are permitted to sitt in the House of Comons have erected for his triall. But he still refuseth to answer to any charge vntill they make it appear that they have a lawful authority; and they have caused enter his refusall as a contempt of the Court. To-morrow they sitt againe, and if anything of importance shall occur, yow shall be advertised thereof by an expresse which we are to send this weeke. In the meane tyme we send yow herewith the paper called the Agreement of the People, as it is now framed by the Army, by which yow will perceive what endeavours are vsed for toleration of all that professe the Christian faith; Concerning which we desire to heare from yow particularly. And so we rest,

Your most affectionat friends to serve yow,

*Sic Subscribitur,*      LOTHIAN,

ROBERT BLAIR,      JO. CHEISLEY.'

Covent Garden,  
the 23d of Januarij 1649.

'Direct :—*For the Right Reverend the Comissioners of the Generall Assembly of the Kirk of Scotland mett at Edinburgh.*'

Order for citing  
some persons  
accessorie to  
the divisive  
petition.

The Comission appoints Messrs. Andro Ramsay, William Colvill, Robert Lawrie, Andro Fairfoull in the Presbyterie of Edinburgh, Messrs. Robert Balcanquhall, John Courtney, Andro Bannatyne, and William Trent in the Presbytery of Hadingtoun, Messrs. Edward Wright, Thomas Inglis, Alexander Keir, Robert Keith, Andro Keir, and David Drummond in the Presbyterie of Lythgow, Messrs. John Graham, Archibald Drumond, Robert Freebairn in the Presbyterie of Auchterardour, Messrs. George Halyburtoun and Edward Richardson in the Presbytery of Perth, Doctor John Strang and Mr. William Wilkie in the Presbyterie of Glasgow, to be cited to the nixt quarterlie meeting, to answer for their accession to the Divisive Supplication intended to have been given in to the Assembly; And in the meane tyme recomends to Presbyteries to be proceeding to the tryall of the bussines, and to make report of their diligence to the said quarterly meeting.

The nixt meeting the morne afternoone.

*Vltimo Januarij 1649 post meridiem.*

The brethren present continues the meeting vntill the morne before noone.

*Edinburgh, primo Februarij 1649, ante meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. John Livistoun : Mr. James Hamiltoun : Mr. Alexander Turnbull : Mr. John Duncan : Mr. Andro Donaldson : Mr. Kenneth Logie : Mr. William Oliphant : Mr. Zachary Boyd : Mr. James Gutterie : Mr. George Leslie : Mr. Samuell Austaine : Mr. William Row : Mr. Charles Archbald : Mr. George Bennet : Mr. John Row : Mr. Patrik Gillaspie : Mr. John Weir : Mr. Mungo Law. ELDERS.—Niddrie : Creich : Lochtour : Whytbank : Mr. Alexander Peirson : Mr. Robert Burnet.

This day Colonell John Home having given in a petition desiring to give satisfaction for his accession to the late Ingagement, the Comission of Assembly continues the petitioner to the next meeting. Colonel John Home.

This day letters from Ireland being read, the Comission thinke fitt to returne the answer following :—

‘RIGHT REVEREND AND DEAR BRETHREN IN OUR LORD JESUS CHRIST,—Amidst our great and manifold imployments we are much refreshed to hear of your condition by your faithfull brother and fellow labourer, Mr. Andrew Stewart, who hath delyvered your letters, quherin yow expresse your great love to ws, and fervent prayers to God for ws, together with your desire of our advice now and from tyme to tyme. Dear brethren, so oft as we consider the case of yow and of the Lords covenanted people there, we are put in minde of that which is written, ‘Thou hast a litle strength, and hast kept My word, and hast not denyed My Name ;’ and ‘because thou hast kept the word of my patience, I will also kepe thee from the houre of temptatioun, which shall come vpon all the world, to try them that duell vpon the earth. Behold, I come quickly : hold that fast which thou hast, that no man take thy crowne.’ The Lord knowes your works, and where yow duell, even where Sathans seat is erected amongst idolaters and vngodly opposits to his blessed Covenant. For which cause yow cannot but expect great and manie trialls to try and to purge yow, and to make yow whytte. But fear none of these things which yow

Letter to the brethren in Ireland.



shall suffer. Be faithfull vnto death, and the Lord will give yow a crowne of life. Wee blesse the Lord, who hath put it into the heart of the Right Honourable Collonell Generall Mounk and Sir Charles Cooke, President of Connaught, to be very favourable and assisting vnto yow, in what yow have (yet) called for at their hands, for which we have rendered heartie thanks vnto Collonell Generall Mounk, and do desire yow to tender the like in our names vnto the President, Sir Charles Cook. And we trust in the Lord that His Majestie will incline their hearts alwayes to be aiding vnto yow in His great worke, which is in your hand, especially by their labouring to protect and further yow in the maintenance and propagatioun of the sacred Covenant, and advancing all the pious and just ends of it (according to the plaine vndertakings therein vnto other parts of that land, many places quherof are yet darke and full of the habitatiouns of crueltie, barbarisme, and idolatrie). So shall God be honoured by their meanes, and will honor them with everlasting honor. So shall the hearts of all Gods people be refreshed by them, and cleave to them firmly in the Lords cause, and so shall wee (and all the godly in this land) be made to offer hearty praises and fervent prayers to God in their behalf. As for our condition in this land, wee, (having of late solemnlie acknowledged the sins of the land, and engaged our hearts vnto dewties, according to the Solemne League and Covenant which we have renewed), doe rest in the Lords love, and beleeve that His salvation shall be for walls and bulwarks to vs, when the blast of the terrible ones shall be as a storme against a wall. Wee know the Malignants here are enraged, being debarred from renewing the Covenant, receiving the Communion, and bearing any Ecclesiastick office vntill evident signes of their repentance appear. We know also that this our renewing of the Covenant is litle pleasing vnto those who are addicted to errours, and breake all bonds solemnly made to God and man, that they may maintaine their cursed tolleration of all errours and heresie, falsely called Liberty of Conscience. But we have learned to cast ourselves vpon the wisdom, power, and love of our Al-sufficient God in doing of duties, knowing that He is and will be our Buckler and exceeding great Reward, and that all the fyrie tryall which shall come can only

take away our drosse, and purge away our tinne, but His grace will be perfected in our infirmities, and He will not leave ws for His great Names sake, because it hath pleased Him to make ws His people. We have also lately sent into England a necessarie Testimonie against Toleration, with an Exhortation to our brethren there, wherein the high and honourable Court of Parliament of this Kingdom hath joyned with ws, as yow may see by the printed copy thereof. As the Solemne League and Covenant is renewed with ws, so it is a matter to be wished that the like were done with yow, dear brethren, in that tyme and maner as may be most seasonable. Wee are perswaded your much honoured Comanders there will concurre with yow for renewing of the Solemne League and Covenant, which was the standart of the Lord lifted vp for the Truth, and which gathered together in one His people of the three Kingdoms; Since which tyme the defenders of it have seene the Lords mervailous hand many wayes for them, and the opposers thereof have felt His heavie indignatioun and displeasure. And we doubt not but the God of truth will (in His just furie) execute judgement on all them who shall hereafter oppose or desert the Covenant, and they shall bear their judgement whosoever they be. We are verie myndfull that some brethren wer appointed to visit yow from hence by the last Generall Assembly, and shall endeavour their dispatch to yow so soone as we can. And we beseech yow (brethren) doe not take it ill that we cannot (either by transportatioun or loan for a tyme) afford yow Ministers out of this Kingdome, as yow need and wee wold; for (through the Lords hand vpon ws) wee of the Ministry in this Kingdome are few in number in respect of the many flocks and great work therein, and verie much employed in publick meetings, and can hardly be spared hence. But our God shall abundantly supplie all your wants through Jesus Christ, in whom we rest,

Your verie loving brethren,

*Edinburgh,  
1 Februarij 1649.*

THE COMISSIONERS

OF THE GENERALL ASSEMBLY.

The petitions to the Parliament concerning the division of the Parosh of the West Kirk and of Leith, and for a Minister

Recommendation, Kirks of

Leith, West-  
port, and  
Castle.

to the Castle of Edinburgh,<sup>1</sup> being read, the Comission thinke fitt that the samen be assisted and comended to the Parliament, and that any thrie of this number be ready to doe the samen whenever they shall be requyred.

The nixt meeting the morne at ten houres.

*Edinburgh, 2 Februarij 1649.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Mungo Law : Mr. John Smith : Mr. Samuel Austaine : Mr. William Row : Mr. John Duncan : Mr. James Gutterie : Mr. William Oliphant : Mr. John Livistoun : Mr. James Hamiltoun : Mr. John Row : Mr. George Bennet : Mr. Patrik Gillaspie : Mr. Kenneth Logie : Mr. Charles Archbald : Mr. Alexander Turnbull : Mr. John Home. ELDERS.—Lord Cassills : Lord Advocat : Niddrie : Dundas : Lochtour : Whitslaid : Mr. Alexander Peirson : Mr. Robert Burnet : William Browne.

This day a letter from the Comissioners at London produced, Tenor quherof followes :—

Letter from  
Commissioners  
at London.

‘RIGHT REVEREND AND HONOURABLE,—According to our direction, we have delivered on copy of your Testimony, with the Returne of the Estates of Parliament therevpon, to the Speaker of the House of Comons. The inscription thereof, (at which we heare they are highly incensed), was read, but not the Testimony itself. Wee have delivered another copy to the Speaker of the House of Peeres, which, in regard of their not sitting, could not be communicated sooner than Monday next; and a third copy to the Ministers of London, together with your letter, which was very thankfully received, and with great approbation.

‘This day the King was brought againe before the new Court, where the President told him that he had now the 4th tyme troubled the Court, and desired that he would acknowledge the jurisdiction thereof, and answere to his charge; otherwise vpon his contempt they would proceed to sentence. The King refused to acknowledge the jurisdiction of the Court, and desired that before they did proceed to sentence, that he might be heard at a conference with the Lords and Comons in the Painted Chamber, where he hoped to offer something for the

<sup>1</sup> The petition for a minister to the Castle of Edinburgh was not successful, and the matter was once more referred by the Assembly of 1649 to the Commission they appointed.

good and peace of the Kingdome; Wherevpon they adjourned and returned within half an hour, but refused to hearken to his Majesties desires. And after a speech concerning the Kings misgovernment, and of presedents what had been done against Kings in other Nations (wherein mention was made that his Majesty was the 109 King of Scotland, and what was done to his Grandmother and Predicessor), the President pronounced the sentence of death against him, and desired him to apply himselfe speedily to God, for his tyme was very short. After the sentence the King offered twice to speake, but command was given to the serjeant to cary away the prisoner, and he was not permitted to speake. What will be the day of execution we know not, but the comon report is that Monday shall be the day.<sup>1</sup>

‘Wee have herewith sent yow the charges against his Majesty, the Vindication of the imprisoned and secluded Members,<sup>2</sup> and a Vindication of the Ministers of London. And so we rest,

Your most affectionat friends to serve yow,

*Sic subscribitur,*

Covent Garden, the  
27th of Januarij 1649.

LOTHIAN,  
JO. CHEISLIE,  
ROBERT BLAIR.’

‘Direct: *To the Right Reverend the Comissioners of the Generall Assembly of the Church of Scotland.*’

The Commission of Assembly, after their reading of the letter above written from the Comissioners at London, finde it necessarie that they have a more frequent meeting, and therefore appoint the letter following to be sent for that effect:—

‘RIGHT REVEREND,—Haveing lately received letters from our Comissioners at London, informing ws that sentence of death is pronounced against the King, the consequence quherof to

Letters to  
members of the  
Commission.

<sup>1</sup> The proceedings connected with the trial of the king are recorded by Rushworth, vol. iv. pt. iv. p. 1395, and are reprinted in Peterkin's *Records of the Kirk*, pp. 575-586.

<sup>2</sup> This, of course, was voted a scandalous production by the ‘rump’ of the House of Commons.

this Kirk and Kingdom requireth the consultation of a frequent meeting, Therefore in so great an exigence we desire yow, all excuses set aside, to come here against Wednesday next, the 7 of Februar instant. Wee expect your presence and assistance at such a tyme, as you tender the good and peace of this Kirk and Kingdome, and remaine,

Your loveing brethren,

*Edinburgh,*  
2 February 1649.

THE COMISSIONERS  
OF THE GENERALL ASSEMBLY.

The Commission appoints Messrs. Robert Douglas, John Livistoun, and James Gutterie to preach before the Parliament the nixt Sabbath, and keep the Fast the said day, and that Mr. Alexander Turnbull and Mr. Andro Donaldsone preach that day in the West Kirk.

Act appoynting  
ministers to  
preach to the  
Parliament  
vntil the nixt  
meeting of the  
Comission.

The Commission of the Generall Assembly being now to dissolve, considering the necessity of appointing some Ministers to preach to the Honourable Estates of Parliament, that according to former practices the brethren of the nixt adjacent Presbyteries should performe that duty, Therefore doe appoint the brethren following to preach to the Parliament in the Parliament House, viz.—Mr. Mungo Law in the Presbyterie of Edinburgh and Mr. Thomas Vassie in the Presbyterie of Lythgow to preach vpon Sabbath come eight dayes, the 11 of Februarij instant; Mr. George Leslie and Mr. John Smith in the Presbyterie of Edinburgh vpon the nixt Sabbath thereafter, the 18 of Februarij instant; Mr. Robert Ker in the Presbyterie of Hadingtoun and Mr. John Sinclair in the Presbyterie of Dalkeith vpon the last Sabbath of Februarij, being the 25 of that moneth; Mr. Alexander Livingstoun in the Presbyterie of Bigger and Mr. Hew Kennedy in the Presbyterie of Lythgow vpon the first Sabbath of March, being the fourth of that moneth; Mr. Kenneth Logie in the Presbyterie of Bigger and Mr. George Hall in the Presbyterie of Lythgow vpon the second Sabbath of March, being the 11th of that moneth; Mr. George Bennet in the Presbyterie of Lanerk and Mr. John Sterling in the Presbyterie of Hadingtoun for the third Sabbath of March, the 18 of that moneth; Recomending to their severall Presbyteries to sie this order observed, and to

supplie their brethrens charges in their absence vpon this employment.

The Commission of the Generall Assembly finding the matter in the processe of James Rosse of Balneill not clear, Doe therefore remitt that they may proceed in further tryall and censure accordingly; And if the Presbyterie shall find any difficulty in their proceedings they may crave the advise of this Comission.

James Rosse  
of Balneill.

The next meeting vpon Tuesday at 10 houres.

*Edinburgh, 6 Februarij 1649, ante meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. James Gutterie: Mr. Patrik Gillaspie: Mr. John Row: Mr. William Row: Mr. David Strachane: Mr. Kenneth Logie: Mr. James Hamiltoun: Mr. John Duncan: Mr. John Livistoun: Mr. Mungo Law: Mr. Fredrick Carmichell: Mr. Alexander Turnbull: Mr. George Bennet: Mr. Samuel Austene: Mr. Charles Archbald: Mr. William Oliphant: Mr. John Smith. ELDERS.—Whytbank: Lochtour: Whitslaid: Mr. Alexander Colvill: Mr. Alexander Peirson: George Porterfeild: Lawrence Henderson: Mr. Robert Burnet: James Sword.

This day the letter following was produced from the Commissioners at London.

‘RIGHT REVEREND AND HONOURABLE,—This day about two of the clock in the afternoone his Majestie was brought out at the window of the Balcony of the banqueting house of Whitehall, neere which a stage was set vp, and his head struck of with an axe; wherewith we held it our duty to acquaint yow; And so being in hast, we shall say no more at this tyme, but that we remaine,

Letter from  
Commissioners  
at London con-  
cerning the  
Kings death.

Your most affectionat freinds to serve yow,

*Covent Garden the 30th  
of Januarij 1649.*

LOTHIAN,  
ROBERT BLAIR, JO. CHEISLIE.

‘Receive herewith a double of our last letter sent by John Campbell.’

‘Direct:—*For the Right Reverend The Commissioners of the Generall Assembly of the Kirk of Scotland.*’

This day the Earl of Cassills, my Lord Advocat, and Alexander Jaffray, being sent from the Parliament for correspondence, communicat vnto the Comission their intentions to send

some to his Majestie, who now is, with their humble desires that his Majestie might give satisfaction for securitie of Religion, and presented a paper containing their desires, which was read ; shewing also the Parliaments desire that there might be a Fast appointed, for seeking the Lords blissing and direction vnto these that are to repair to the Kings Majestie, and for a blessing vpon their endeavours.

The Commission, having considered the desires of the Parliament, Doe appoint the 22 day of this moneth to be set apart for fasting and humiliation, and that the letter following be sent to Presbyteries for that effect, and appoints the Clerk to cause print the samyne for the more speedy dispatch.

Letter to Presbyteries.

‘REVEREND BRETHREN,—The Kings Majestie who lately reigned being, contrary to the dissent and protestatioun of this Kingdome, now removed by a violent death, the Estates of Parliament have declared and proclaimed the Prince of Scotland and of Wales to be King, as yow will perceive by the inclosed proclamation, and have resolved to make addresses to him with all possible speed about these things that concerne the securitie of Religion and the peace of these Kingdomes. And because of the great importance of his Majesties disposition and of these affaires, we hope that yow will be carefull to deale earnestly with God, both in private and publick, in behalfe of his Majestie who now is. And we have thought fit that a solemn publick humiliation be kept on Thursday the 22 of this instant, as for all the sines and provocatiouns of the land, so to pray the Lord in a speciall maner for these things following: 1. That He would deliver the King from the snares of evill counsell, in which he is now involved, and teach him in his youth in the knowledge of His way, that he may fear His name, and imploy his power for establishing and advancing the Kingdom of Jesus Christ, and the Worke of Reformatioun. 2. That the Lord would be pleased to blesse those addresses, that are now to be made to his Majestie for the securitie of Religion, the vnion betuixt the Kingdoms, and the peace and safety of this Kingdome. 3. That He would strengthen and deliver our afflicted brethren in England, who suffer by the violence and strange practises of the Sectaries. 4. That He would in His

mercy prevent all those calamities and confusions, that the present great revolution of affaires doth threaten these Kingdoms with. So hoping that yow will be carefull to stirre vp yourselves and others to wrastle with God in such an exigent, and to intimate the Fast timeouslie, and to keepe the same in your severall Congregatiouns the fairsaid day,

‘We shall only adde that, if there be any in your Congregatiouns who refuse to renew the Covenant, and are not excluded by the Act, Our judgement is that after yow have conveyened them before yow, and found them obstinate, that yow make publick intimatioun of their names, from your pulpits, as of persons that are disaffected and enemies to the cause of God, and that yow referre them to the next General Assembly, till which tyme yow are to suspend them from the Sacrament of the Lords Supper and from all Ecclesiastick charge, that so they may be in the same case with those who are excluded because of their Malignancy and accession to the Engagement. We comend yow to His grace and rests,

Your affectionat brethren,

Edinburgh,  
Februar 6, 1649.

THE COMMISSIONERS  
OF THE GENERALL ASSEMBLY.’

‘*Postscript*:—If these come not timously to your hands, yow will be carefull to keep the next Thursday after the receipt thereof.’

Concerning the petition of Colonell John Home, wherein he acknowledges his sorrow for his service in the late vnlawfull Engagement, the Comission refers the said petition to the nixt Generall Assembly.

Colonell John  
Hume,  
Reference to  
Assembly.

The Commission continues the mater concerning the transportation of Mr. Patrick Gillaspie till the nixt quarterly meeting, and George Porterfeild for the towne of Glasgow and Mr. Patrik Gillaspie, personallie present, warned *apud acta*.

Mr. Patrick  
Gillaspie.

The nixt meeting at tua afternoone.

*Eodem die, post meridiem.*

...

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. James Gutterie: Mr. James Hamiltoun: Mr. John Row: Mr. William Oliphant: Mr. Kenneth Logie: Mr. Andro Donaldson: Mr. Fredrick Carmichaell: Mr. David Dickson: Mr. John Livistoun: Mr. Patrik



Gillaspie : Mr. Samuell Austeine : Mr. David Strachan : Mr. George Bennet : Mr. Alexander Turnbull : Mr. William Row : Mr. John Smyth : Mr. John Duncan : Mr. Charles Archibald. **ELDERS.**—Inglistoun : Whitslaid : Whytbanke : Lochtour : Mr. Alexander Peirson : Mr. Alexander Colvill : Mr. Robert Burnet.

Catechismes  
and Confession  
of Faith,

The Commission appoints Mr. David Dickson, Mr. John Livistoun, Mr. Patrik Gillaspie, Mr. Samuell Austeine, Whitslaid, and Mr. Robert Burnet to present to the Parliament the Confession of Faith and the Larger and Shorter Catechismes, that their Lordships may give their civill ratificatioun thereof.<sup>1</sup>

The Commission appoints Mr. David Dickson, Mr. John Livistoun, Mr. James Gutterie [to] speake with the Earle of Eglington to perswade him to acquiesce to Mr. James Fergusons removeall, and to report ; and thereafter they will consider what tyme to prescribe for his removeall from his present charge to setle in this towne.

The next meeting the morne afternoon,

*Edinburgh, 7 Februarij 1649.*

*Sederunt*.—**MINISTERS.**—Mr. Robert Douglas, *Moderator*. Mr. David Dickson : Mr. John Livistoun : Mr. Patrik Gillaspie : Mr. Samuell Austeine : Mr. George Bennet : Mr. John Row : Mr. William Oliphant : Mr. Robert Baillie : Mr. James Hamiltoun : Mr. Mungo Law : Mr. Alexander Turnbull : Mr. David Strachan : Mr. James Gutterie : Mr. George Leslie : Mr. Kenneth Logie : Mr. John Maghie : Mr. Charles Archbald : Mr. William Row : Mr. Robert Ker : Mr. John Smith : Mr. John Duncan : Mr. John Sinclair : Mr. Fredrick Carmichaell. **ELDERS.**—Lord Craighall : Niddrie : Creich : Whitslaid : Lochtour : Whytbank : Mr. Alexander Peirson : Mr. Alexander Colvill : Mr. Robert Burnet : Mr. Thomas Murray.

Alexander  
Maxwell,

The Commission of Assembly remitts back to the Presbyterie of Lythgow the mater concerning Alexander Maxwell of Dechmont vntill the particulars of his cariage be further tryed and instructed.

The Commission of Assembly having found it necessarie to wryte to the Kings Majestie, who now is, doe resolve to send to him the letter following :

<sup>1</sup> Next day the following Act was passed by the Estates, 'The Estates of Parlia', . . . having seriously considered the catechisms, viz., the Larger and Shorter catechismes and Confessioun of faith with three acts of approboun y<sup>of</sup> pited unto y<sup>m</sup> be the Comissioners of the gñall assembly, Doe ratifie and approve y<sup>e</sup> saidis catechismes, confession of faith, and acts of approbatioun of y<sup>e</sup> same, produced as said is, and ordaines y<sup>m</sup> to be published and printed [and practised].—*Acts of Parliaments of Scotland*, vol. vi. pt. ii. p. 161.

‘MAY IT PLEASE YOUR MAJESTIE,—As we did alwayes acknowledge your Royall Father his just power and greatnes, and poure furth our prayers and supplications to God on his behalf, and doe abhorre these vnparall[el]ed proceedings of Sectaries against his Majesties person and life, soe we doe willingly and chearfully acknowledge your Majesties just right of succession to reigne as King over these Kingdoms, and doe resolve, in the power of the Lords strength, to continue in prayer and supplicatioun for your Majestie, that yow may fear the great and dreadfull name of the Lord your God, and reigne in righteousness, in equity, and the Lords people vnder yow live a quyet and peaceable life in all godlines and honestie.

Letter to the  
Kings Majestie  
who now is by  
Sir George  
Douglas.

‘These Kingdoms now for many yeirs past have been involved in many calamities and confusions, by which the Lords work has been obstructed and retarded, and the blood of His people shed as water spilt vpon the ground; And we cannot but look vpon the counsells of the vngodlie as a maine cause of all these evils. It hath been the cuning of the Popish, Prelatical, and Malignant party to traduce Presbyteriall Government and the Solemne League and Covenant as destructive to Monarchie; and with so much wit and industrie did they manage those calumnies, that your Royall Father, to our exceeding greife, was kept at a distance in his judgement from those things that doe much concerne the Kingdom of Jesus Christ, the peace and safety of these Kingdoms, and the establishing of the Kings throne, and was estranged in his affection from them who most tendred his person and authority.

‘And seing the Lord now calls your Majestie to succeed to on of the greatest and most important employments vpon the earth, which is much hightned by the present condition of affaires, it is our earnest desire vnto your Majesty, in the name of the Lord Jesus, whose servants we are, that yow would not only shut your eares against calumnies, but avoid the companie and shun the counsells of the vngodlie, who studie to involve your Majesties publick interest, and that which concerns the preservatioun of your Royall person, and the establishing of your Throne, with their private interests and ends, and to make your loyall subjects odious, that they only may be gratus; And that your Majestie wold avoid all the tentatiouns and

snarcs that accompanie youth, and humble your self vnder the mightie hand of God, and seek Him earlie, and labour to have your senses exercised in His Word; And that your Majestie wold establish Presbyteriall Government, and allowe and injoyne the Solemne League and Covenant, and imploy your Royall power for promoveing and advancing the work of Vniformity in Religion, in all your Majesties Dominions. It is by the Lord, who beares rule in all the Kingdoms of the sones of men, that Kings doe reigne, and, whatever carnall policie suggest to the contrarie, there is no thing can contribute so much for securing the Kingdom in their hand, as being for His honour and studying to doe His will in all things: Therefore we know not so speedie and sure a way for secureing of Government in your Majesties person and posteritie, and disappointing all the designes of enemies both on the right hand and on the left. We trust that it shall afterwards be no greife of heart to your Majestie to hearken to vs in these things.

‘ We have hithertills obtained mercy of God to be constant to our principles, and not to decline to extremes, to owne the way either of Malignants or Sectaries. And we were faithfull and free with your Royall Father; wold God he had hearkened to our humble advise! The Lord give vnto your Majestie wisdom to discern the times, and to make vse of the opportunities of doing acceptable service to God, and ingageing the affections of your people in the begining of your Majesties reigne, by condescending to these necessarie things. So shall the Lord blesse your Majesties persone, establish your throne, and our spirits and the spirits of all His people in these lands shall, after so many yeires of affliction, be refreshed and revived, and encouraged not only to pray for your Majestie and to praise God in your behalfe, but in their places and stations, by all other sutable meanes, to indeavour your honour and happines, that your Majestie may reign in prosperitie and peace over these Kingdomes: Which is the earnest desire and prayer of,

Your Majesties loyall subjects and humble servants,

Edinburgh,

7 Februarij 1649.

THE COMISSIONERS

OF THE GENERALL ASSEMBLY.’

The next meeting the morne at 10 houres.

*Edinburgh, 8 Februarij 1649, ante meridiem.*

*Sederunt*:—**MINISTERS**.—Mr. Robert Douglas, *Moderator*. Mr. David Dickson : Mr. James Hamiltoun : Mr. James Gutterie : Mr. Mungo Law : Mr. George Leslie : Mr. Fredrick Cartichaell : Mr. David Strachan : Mr. Samuel Austeine : Mr. John Sinclare : Mr. William Row : Mr. Patrik Colvill : Mr. Andro Donaldson : Mr. Robert Baillie : Mr. John Livistoun : Mr. Patrik Gillaspie : Mr. James Nasmith : Mr. John Row : Mr. Alexander Turnbull : Mr. Robert Ker : Mr. George Bennet : Mr. James Ferguson : Mr. Kenneth Logie : Mr. John Maghie : Mr. Charles Archibald. **ELDERS**.—Lord Craighall : Nidrie : Creich : Lochtour : Mr. Alexander Peirson : Mr. Robert Burnet : William Browne.

The Commission of Assembly appoints Messrs. John Livistoun, Mungo Law, John Row, with the Laird of Niddrie, to assist the supplicatioun of the paroch of Bassindene.

This day my Lord Ramsay, personallie present, gave in a petition following:—

‘TO THE RIGHT REVEREND THE COMISSION OF THE GENERALL ASSEMBLY, GEORGE, LORD RAMSAY SHEWETH—That quheras I was employed in the late vnlawfull Ingagement, and went forth with my Regiment, without due examinatioun of the grounds thereof, and not adverting to the pious and seasonable admonition of the Church; Bot now, being most sensible of the sinfulness of that course and of the Lords righteous judgement therevpon, and of my owne error, I doe now in all humilitie acknowledge my fault for my goeing on in that sinfull course, and am most willing to witnes the vnfained sorrow of my heart for my so grievous offence, earnestly desiring to glorifie God and satisfie the Church be my confession of my fault and testimony of repentance, And therefore I make my addresse to your wisdomes, that yow may be pleased to accept of me and prescribe the maner and tyme of my satisfaction, which I shall most chearfullie imbrace and performe. Thus expecting and earnestly desiring an acceptance and a favourable answer, I rest, as this shall make me to remaine to the vttermost of my power in all after tyme,

Your most humble servant

*Subscriptur*, RAMSAY.’

The Comission, having considerit the said petition and heard the said Lord Ramsay, Finds they cannot prescribe

Petition, Lord Ramsay.

Answer to the said Petition.

his satisfaction, notwithstanding his earnest desire of the same, in respect of the late Act remitting the satisfaction of such offenders to the Generall Assembly, bot are heartily glad of his sense of his guiltines, and will present the same and his offer to the Generall Assembly, and in the meanetyne desires him to carry himself as becumes.

The nixt meeting at tuo houres.

*Eodem die, post meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. James Gutterie: Mr. Robert Ker: Mr. Thomas Vassie: Mr. Samuell Austaine: Mr. David Strachan: Mr. James Ferguson: Mr. Patrik Colvill: Mr. John Maghie: Mr. James Nasmith: Mr. William Row: Mr. John Livistoun: Mr. Robert Baillie: Mr. Patrik Gillaspie: Mr. Alexander Turnbull: Mr. George Bennet: Mr. John Row: Mr. Patrik Colvill: Mr. George Leslie: Mr. John Sinclair: Mr. Kenneth Logie: Mr. Fredrick Carmichaell: Mr. William Oliphant. *ELDERS*.—Lord Craighall: Niddrie: Sir James Hacket: Whytbank: Lochtour: Mr. Alexander Peirson: Mr. Robert Burnet: William Browne.

Major  
Strachan.

The Commission of Assembly appoints the Committee, appointd formerlie the 5 of Januar for publik bussines, to hear the informatiouns of some scandalls vpon Major Strachan, and to report what grounds they finde therein, that thereafter they may accordingly take course concerning his desire for receiving him to the Covenant; As also that they consider what things are to doe, and to whom the same may be committed, after the dissolving of the Comission, and to report.

The nixt meeting the morne after sermon.

*Edinburgh, 9 Februarij 1649, ante meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. James Gutterie: Mr. Fredrick Carmichaell: Mr. George Leslie: Mr. James Nasmith: Mr. Thomas Vassie: Mr. Samuell Austaine: Mr. William Row: Mr. James Ferguson: Mr. John Livistoun: Mr. John Smith: Mr. John Row: Mr. John Sinclair: Mr. George Bennet: Mr. James Hamiltoun: Mr. Robert Ker: Mr. John Maghie: Mr. Andro Donaldsone: Mr. Patrik Colvill. *ELDERS*.—Lord Craighall: Niddrie: Creich: Sir James Hacket: Lochtour: Whytbank: Mr. Robert Burnet: William Browne.

The Commission of Assembly appoints Messrs. John Row, James Hamiltoun, and Mungo Law, and Whytbank to assist the supplication of John Hay of Knockandie for reparatioun of his losses.

The Commission appoints that Messrs. James Hamiltoun, James Gutterie, John Livistoun, Fredrick Carmichaell, and John Row, Niddrie, Mr. Alexander Colvill, Mr. Alexander Pearson, and Mr. Robert Burnet, with the Members of the Comission of the Presbytery of Edinburgh, to attend the Parliament, and seek an answer to the Overtures and Desires tendered to the Parliament, and to doe all things necessarie for that effect; As also to desire earnestly payment for Doctor Sharpes debt, and to give in some Overtures for the education of the children of the Earles of Caithnes and Wintoun, and of the Lords Seatoun, Temple, and Mordingtoun, and other Noblemen affected popishly; As also that they deale with the Parliament for provyding some maintenance to Ministers to attend the Army.

Committee to attend the Parliament for the particulars within written.

It is thought meet by the Comission that the Committee of Dispatches be delt with, and the Parliament be supplicat to appoint some trustie men for to take tryall of the whole forces, officers and souldiers, of their affection and disaffection to the cause, of their cariage and coversatioun, Giving them power to call before them, censure, and casheire, according as they shall find the degrees of the faults deserve; and that they shall call for testimonialls from the Ministers of the paroches from whence they came, according to the Act of the Committee; and if any shall want testimonialls, they shall be bound to bring testimonialls of their honestie from the Ministers or Sessions of their respective paroches; and that they take such concurrence and assistance from the Ministers of the Presbyterie where the troupes lyes.

Anent tryall of the Armie.

The nixt meeting vpon Wednesday at ten houres.

*Edinburgh, 14 Februarij 1649, ante meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, Moderator. Mr. James Gutterie: Mr. John Smith: Mr. James Nasmith: Mr. Thomas Vassie: Mr. William Row: Mr. John Row: Mr. John Livistoun: Mr. Fredrick Carmichell: Mr. Mungo Law: Mr. George Lealie: Mr. Robert Knox: Mr. Alexander Turnbull: Mr. William Penman: Mr. John Adamson. ELDERS.—Lord Craighall: Niddrie: Inglishtoun: Lochtour: Obstaill.

The Commission of Assembly appoints Mr. James Hamiltoun and Mr. James Nasmith to assist the supplicatioun from the

Dunscore.

Paroch of Dunscore to be given in to the Parliament, for stenting of the parochiniers of the said paroch, for paying of the charges deburst for building the Kirk of the said paroch.

Concerning  
Commission to  
the Kings  
Majestie.

The Commission, finding it necessarie that some be sent to the Kings Majestie to present the desires of the Kirk of Scotland to his Majestie, Thinke fitt that Mr. Robert Blair, Mr. Robert Baillie, with the Laird of Libbertoun, be sent for the effect foirsaid, And that Commission and Instructions be drawn for that purpose.

Instructionis for  
those that goe to  
the Kings  
Majestie.

The Commission appoints Messrs. James Gutterie, John Livistoun, Robert Knox, Mungo Law, Fredrick Carmichaell, Thomas Vassie, John Smith, John Row, Whitslaid, Nidrie, and Mr. Alexander Peirson, to meet in the Moderators house the morne at seven hours, for the drawing vp of Instructions to be sent to the King.

Alexander  
Stewart.

Concerning the Petition of Alexander Stewart and Thomas for to be received, and to give satisfaction for being at the Engagement, The Commission refers them to the Generall Assembly.

Patronages.

The Commission appoints Messrs. Samuell Rutherford and James Wood to draw vp reasons to shew the vnlawfulness of Patronages, and to give them to these that attend the Parliament to be made vse of.

The next meeting the last of Februar.

*Edinburgh, ultimo Februarij 1649.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. James Gutterie : Mr. Ephraim Melvill : Mr. Patrik Sharpe : Mr. Andro Bennet : Mr. John Chalmers : Mr. John Knox : Mr. Robert Ker : Mr. Robert Traill : Mr. John Row : Mr. Robert Lawder : Mr. John Maghie : Mr. Samuell Rutherford : Mr. Patrik Gillaspie : Mr. Hew Kennedie : Mr. John Home : Mr. Fredrick Carmichaell : Mr. Gilbert Anderson : Mr. Andro Wood : Mr. John Moncreiff : Mr. Thomas Vassie : Mr. David Aucterlony : Mr. George Leslie : Mr. Robert Baillie. *ELDERS*.—Lord Angus : Lord Craighall : Niddrie : Sir George Maxwell : Dundas : Whytbank : Glanderstoun : Rickartoun : Crafoordland : George Porterfeild : Mr. Alexander Colvill : Mr. Alexander Peirson : Mr. James Campbell : Mr. Robert Barclay : Mr. Robert Burnet : Mr. Thomas Murray : James Sword : Gideon Jack.

Petition from  
Chanerie for  
a minister.

This day the Petition following being presented from the Chanonrie of Rosse :—

*'Vnto the Reverend Moderatour and reverent worthy members  
of the venerable Comission of the Generall Assembly.*

'Wee, the Inhabitants of the Chanonrie of Rosse, doe humblie represent the desolate and lamentable condition of our Kirk and Towne, which this long tyme hath been destitute of an publick Ministry, and comfortable meanes of our salvation since the late happie Reformatioun, which to our great greefe hath much hindered the work of God and power of godlines, both privatlie and publickly amongst ws. Now, therefore, after many probable endeavours by supplicatiouns and other lawfull courses, which have not brought forth the wished effect, wee againe present ourselves before your Wisdomes as supplicants for help and remedy to the foresaid defect. May it please your Wisdomes, therefore, to consider that, dureing the pretendit Episcopacie, our Kirk was served as a particular Paroch vnder the title of a Cathedrall Church, and before that tyme, even from the first Reformatioun of Religion within this Kingdom, it was served as a particular Paroch both in doctrine and discipline, as our public Records can testifie; And, as we are credable informed, in the Bookes of Plate and Assumption it is appointed to be, altho no competent provision was ever platted for the samen, through the iniquity of [the] tyme and other earthly interests and oppositions, which have also mett ws in our attempts and endeavours for redresse to this defect, and even hitherto doe lett and impede ws. Our humble desire therefore is, that it wold please your Wisdomes to take our case in Christian consideration and commisseratioun, and, according to the love of the good of the Kirk, to favour and help the samen, by representing the same to the honourable High Court of Parliament, and according to your power to prosecute and advance it; Intreating their Lordships, by their authority, to enact and declare our kirk to be an particuler Parosh kirk by itself, and not only to give ws way to seek for a competent provision therevnto, according to the custome of the Kingdome, bot more particularlie, seeing all kirks within this Kingdom, of the lyke qualitie with ours, are provyded in maintenance [out] of the Bishops rents, and ours wes particularlie served by the pretendit Bishops, as an particular parish without any particular provision of maintenance, and the Bishops rents within this



Province are rigorously exacted, and imployed to secular uses, while as our and other kirks are destitute of maintenance, That therefore their Lordships would take our case to heart, and according to their power and authoritie, to settle a provision for our destitute Church of the foirsaid rents, or to direct us in a legall way how we may be provydit of the same. This our supplicatioun, as we trust it shall be acceptable vnto your Wisdomes, so we are confident that your seconding of the same vnto the High Court of Parliament shall be most willingly vndertaken and prosecuted. What is the necessitie of the bussines, with what conveniency and ease it may be atcheived, and what benefitt thereby will redound both to the Kirk and countrey here, the Comissioners appointed for visitatioun of this Province did take it to heart, and each and all of them we know will bear testimony thereto. This reverend brother whom we have entrusted to present our supplicatioun to your Wisdomes, as most sensible thereof, will informe yow abundantly of the same, and we, most confident of your love and helpe, praying God Almighty to blesse His holy worke in your hands, and rest,

Your humble supplicants,

The Inhabitants of the Chanonrie of Ross,

*Subscibitur,* ROBERT INNES of Roiskein, *Provost.*  
DONALD M'KLEAY, *Bailzie.*  
DONALD REID.  
ANDRO ABERCROMBIE.  
JOHN ELDER.  
J. VEIR.  
JOHN REID.  
PATRICK HAY.'

Recommendation of the said Petition.

The Commission of Assembly, having considered the Petition abone written from the Inhabitants of the Chanonrie of Ross, Doe seriously recomend their desire to the honourable Estates of Parliament, and appoints Mr. James Gutterie, Mr. John Row, to concurre with and assist effectually their Petition, which they are to present to the Parliament for the effect aforesaid.<sup>1</sup>

<sup>1</sup> Their petition to the Parliament, in nearly identical terms with the above, was presented without delay, and would seem to have been assisted 'effectually,' for

This day the Petition to the Parliament against Patronages of Kirks, with the reasons shewing the vnlawfulness and sinfulness thereof, being read, The Commission appoints the same to be tendered to the Parliament; Tenor whereof followes :—

*‘The Humble Supplication of the Commission of the Generall Assembly vnto the Honourable Estates of Parliament.*

‘Wee did formerlie tender vnto your Lordships a Petition for the abolishing all Patronages and Presentatiouns of Kirks within this Kingdom, and doe now againe renew our desire there anent vnto your Lordships; for strengthening whereof, and for your Lordships better satisfaction and convincing of others, we doe herewith offer vnto your Lordships some reasons proving Patronages and Presentatiouns of Kirks to be sinfull and vnlawfull. As we doe not thereby intend any benefite to ourselves, nor any prejudice to others in regard of the things of the world, but simplie the taking away of a sinfull yock from of the necks of the Lords people and Ministerie of the land, so we trust that your Lordships, in the integrity of your hearts, without any byas or eye to self-interest, will simplie abolish the same as sinfull and vnlawfull. And because there be manie poore in this Kingdom, who are in a miserable and desolate condition, vnto the great reproach of the Gospell, and of both Kirk and State, It is our humble and earnest desire vnto your Lordships, that from your charitable and pious disposition, yow will take in consideratioun the estate and condition of the poore, and their maner of liveing and beging from dore to dore throughout the land; and that yow will condescend vpon and establish some settled way and ordour for mantaining of them in their own paroches, that there may be no beggers in our Israell. So shall the Lord prosper yow and His people, and His servants shall blesse yow.

Petition to the Parliament for abolishing of all patronages of kirks.

on 2nd March the following entry is found in their ‘Proceedings:’—‘The Parliament seriously recommends the plantacion of the kirk of the Chanrie of Ross to the Commission for plantacion of kirkis, with the provisioun thair of, to be taken in consideration be thame among the first of thair actis at thair down sitting.’—*Acts Parl. Scot.* vol. vi. pt. ii. p. 703. The provost is there designated Innes of Roistoun.

*‘Reasones proving that Patronages and Presentations of Kirks are sinfull and vnlawfull.*

‘1. Reason. That which gives the nominatioun and choyse of the Minister to these to whom the Lord hath not given it, and takes it away from whom the Lord hath given it, that is sinfull and vnlawfull. But Patronages and Presentatiouns of Kirks gives the nominatioun and choyse of the Minister to these to whom God hath not gevin it, and taks it away from those to quhom God hath gevin it; Therefore they are sinfull and vnlawfull.

‘The first Proposition is clear, because none can without sin and manifest vsurpation over the House of God take vpon him to nominat and choyse ane officer in the House of God but such as have warrand of God to doe the same; Much less can any without sin and vsurpation take vpon him to take away the nominatioun and choyse of the officers of the Lords House from those to whom God hes given it, because in doing so they doe violat ane expresse ordinance of God. Suppose that an great man, or an heretour, sould take vpon him to nominat and choyse all the elders and deakons of the Kirk Sessione, in the parochine where he lives, or in any vther parochine, would it not be acknowledged to be an vsurpation and sin in him to doe so? And is it not also great an vsurpation to take vpon him the vsurpation and choyse of the Minister, who is the most eminent officer in the House of God?

‘The second Proposition is no les cleir, Because Patronages and Presentatiouns of Kirks gives the nominatioun and choyse of the Minister to the Patron, to quhom God never gave it.

‘Nominatioun and choyse is absolute and vncontrollable, nether is he tyed therein to seek the advyse or consent either of Presbytery or Paroch, but both Presbytery and Paroch are bound to accept of the man whom he presents, if he be qualified, tho they never consented to, nor wer advysed with in the Patrons choyse of him. And that God nether<sup>1</sup> gave such a power to a Patrone, as to nominat and choyse a Minister, appears from this: Because there is neither precept, nor example, nor promise, nor anything expressly, nor by consequence, either

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<sup>1</sup> Probably for *never*.

Reasons shewing the sinfulness and vnlawfulness of patronages and presentatiouns to kirks.

in the Old or New Testament, that holds forth such a thing as power given to a Patrone to nominate and choyse a Minister. For the other part of the Proposition, that Patronages and Presentatiouns of Kirks take away the nominatioun and choyse of the Minister from those to whom it is given of God, it is very clear, Because all things that concerne the nomination and choyse and calling of Ministers and all Church officers is given of God to the people and Presbytery—Acts i. 26; Act vi. 3, 5; Act xiv. 2; 1 Tim. viii. 22;<sup>1</sup> Tit. i. 5. Wee doe not anywhere read in the New Testament that any other had any hand in any part of their calling. Now, suppose the nominatioun and choyse to belong either to the people or to the Presbytery severallie, or to both of them joyntly, and by mutuall consent, it alwayes followes that the Patrones nominatioun and choyse of the Ministry takes it away from those to whom it is gevin of God, and therefore the conclusion doth clearly and necessarily follow, to witt, That Patronages and Presentatiouns of Kirks are sinfull and vnlawfull.

‘2. Reason. That which is contrarie to the expresse positive received doctrine of the Kirk of Scotland is sinfull and vnlawfull. But Patronages and Presentations of Kirks are contrarie to the expresse positive received doctrine of the Kirk of Scotland; Therefore they are sinfull and vnlawfull.

‘The first Proposition we trust will be denyed be no member of the Kirk of Scotland, all of ws being obliged not only in our Baptisme, and by our Confession, but by Nationall Covenant, and by the Solemne League and Covenant, to mantaine and defend the doctrine of the Kirk of Scotland as trew and orthodox and grounded vpon Gods Word, and therefore what is contrary thereto most be an errour, and sinfull and vnlawfull. Bot Patronages and Presentatiouns of Kirks are contrarie thereto, as is evident both from the Books of Discipline and Acts of Generall Assemblies. First from the Book[s] of Discipline, not only in the fourt head of the First Book of Discipline, and in the third chapter of the Second Book of Discipline, bot also from the twelf chapter of the Second Book of Discipline, in which the abolishing of Patronages and Presentatiouns of Kirks is craved, because the same hath no ground in Gods

<sup>1</sup> Probably Acts xiii. 2, 1 Tim. v. 22, are intended.

Word, but is contrarie thereto, and to the libertie of election of a Minister, and hes flowed from the Pope and the corruption of the comon<sup>1</sup> law onlie, and therefore in that place all that will embrace Gods Word, and desire the Kingdome of His Sone Jesus Christ to be advanced, are desired to condescend to the abolishing of Patronages, and to embrace that policie and ordour, which the work<sup>2</sup> of God and vpright Estate of His Kirk craves, vtherwayes they are said to professe the same in vaine. <sup>2</sup><sup>10</sup> It also appears from many Acts of Generall Assemblies. We gave<sup>3</sup> instances in these tuo. (1.) In the 3 Session of the Assembly holden in December in the yeir 1562, Inhibition is made to all Ministers not entered according to the fourth head of the 1 Buik of Discipline;<sup>4</sup> which cannot consist with Patronages and Presentatiouns. (2.) In the Assembly holden at Edinburgh in March in the yeir 1570, amongst the articles pertaining to the Jurisdiction of the Kirk that are appointed by the Assembly to be proponed to the Regentis Grace, and to the Counsell, this is the second, That the Kirk have not only the examinatioun and admission, but also the election of those that are admitted to the Ministerie. And if in the Assemblies judgement the Kirk foirsaid sould have the election, then certanlie in their judgement the Patrones sould not have it, for the Kirk and the Patrone are quyte different things. Nay, it was to take away the vsurpatioun of Patrons that the Assembly did desire, that the Kirk might have the nominatioun and election of Ministers.

‘3 Reason. The office which is meerly yet fruitles and vseles, in relation to the exercise of the Ministerie, and to the Ministers mentenance, is sinfull and aught not to be tollerated by the Christian Magistrate in a tyme of Reformatioun, bot the Patrones place and office is such; for, first, the Word of God judges the labouring and preaching Minister worthy of his mantenance, Math. x. 10; Gal. vi. 6; 1 Tim. v. 22;<sup>5</sup> sup-

<sup>1</sup> Some edition of the Second Book of Discipline in the early part of the seventeenth century may have had this incorrect reading, but unquestionably the correct reading is ‘*canon law*,’ as given by Calderwood in his *History*, by Dunlop in his *Confession of Faith*, etc., and by Peterkin in his ‘*Booke of the Universall Kirk*,’ p. 560.

<sup>2</sup> *Sic* in MS. for *word*.

<sup>3</sup> *Sic* in MS. for *give*.

<sup>4</sup> A rather free summary, see the Inhibition in Peterkin’s ‘*Booke of U.K.*,’ p. 12.

<sup>5</sup> Probably 1 Tim. v. 17 is intended.

pose there had never been a Patrone in the world; and the Apostolick Church allowed the Minister mentenance when there was not on<sup>1</sup> foot steppe of an Patron. 2<sup>uo</sup> No Patrone can make the labourer worthy of his wages, therefore he cannot give him right to these wages. If it be said that this concluds only against the simple or divyne necessitie of Patronages, but proves not but, in regard of mens avarice and propension to sacriledge, there may be ane vse of Patrons to defend the Ministry in their right of their mentenance, We answer that this is the place and office of the Godly Magistrate, and that the thing which we plead against is not that, but against a Patrone who hath a negative voyce in the peaceable and legall bruiking of mentenance, and without whose presentatioun the Minister can have no right in law to his mentenance. And therefore in the fourth place we reason thus:

‘4 Reason. That which establisheth vnto any a negative enterest and title vnto that, which by the Word of God, and law of comon equitie and conscience, is dew vnto another by vertue of his calling, that is sinfull and vnjust, Because it must needs be a manifest oppression and tyrrany for any to challenge vnto themselves a right and title vnto that which another hes sufficient right vnto by vertue of his calling. But Patronages and Presentatiouns of Kirks establishes a negative enterest and title of the Patrone vnto the Ministers mentenance, which God allowes him by vertue of his calling, without the enterteining of any presentatioun, Math. x. 10; 1 Cor. ix. 14; Gal. vi. 6; 1 Tim. v. 22.<sup>2</sup> For albeit a man be qualified and called and admitted to the work of the Ministry, according to the Word of God, and be now serving and labouring in the same, yet, if he have not a presentatioun, the Patrone may withhold from him his maintenance, which by the law of God, and law of comon equitie and conscience, is dew to him, be vertue of his calling as he is a Minister. And therefore Patronages and Presentatiouns of Kirks most be sinfull and vnjust. If a law were made in this land that no phisitian, nor advocat, nor carpenter, nor masoune, nor no artist nor tradsmen should have law or right, or gett leive to medle with their wadges and dew

<sup>1</sup> i.e. one.

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<sup>2</sup> Probably 1 Tim. v. 17 is intended.

reward of their work, except by a wrytte and presentatioun, including the negative voyce of some man, who hath no right by the law of God or man vnto these waiges, wer not this an vnjust law? And therefore most Patronages and Presentatiouns be also vnjust, seeing the Ministers maintenance is no less freely dew to him, as the wages of his labour, then the waiges of any vther labourer quhatsoever.

‘5 Reason. All lawfull and just right must either be Spirituall or Ecclesiasticall or Civill. But the rights of Patronages and Presentatiouns are not Spirituall nor Ecclesiasticall, for the right of a Patrone is pretended to be dirvyed from father to sone, and can be coft and sold for money. But so cannot Spirituall or Ecclesiasticall rights. Neither is such an right civill, because a lawfull civill right is grounded vpon some Word of God, the Lord haveing made that propper to any which is his by birth, or by purchase, or labour, or industrie. But there is no such ground in Gods Word for the right of Presentatiouns. Nay, the same is contrary thereto, as hath been shewed already.

‘6. Reason. Whatever office or place is not necessarie by the law of God or man, and is, and may be, abused to sacriledge and Simonie, to dilapidation of Kirk rents, to the reciprocall tempting of the Intrans and Patron, that is scandalous, and so sinfull, and ought to be removed. So reasone we against humaine significant ceremonies, because they being not necessarie are, or may be, abused to substitution<sup>1</sup> and idolatrie. But Patronages are not necessarie, else how did the primitive Kirks want them, and they are, or may be, abused to the foirsaid ends. Therefore are they to be removed.

‘7. Reason. All symbolizing and complying with Papists and Idolaters in this<sup>2</sup> not necessarie is sinfull and vnlawfull, as the cutting of the hair, the rounding of the corners of the head, and making them bald, as the heathen did. Sowing the seed with diverse kynds of grane were forbidden to the Jewes, because the heathen then vsed so to doe. But Patronages is a complying with Papists and Idolaters in a thing not necessarie, for they

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<sup>1</sup> *Sic* in MS., probably for *superstition*.

<sup>2</sup> *Sic* in MS., probably for *things*.

had their originall amongst them, and were brought out of the dunghill of the Cannon Law.<sup>1</sup> Therefore—'

The Commission appoints a letter to be drawn to the Kings Majestie, representing their desires to his Majestie for settling truth and peace in his Kingdom.

This day the Comission thinke it very fitting, that letters be sent with these that goe to the Kings Majestie to Rivet and Spanhemius, and that Mr. Robert Baillie draw the draught thereof, and present it to the Comission the next meeting.

The Commission appoints Messrs. Andro Bennet, James Gutterie, Robert Ker, Ephraim Melvill, Samuell Rutherford, John Muncreiff, Patrik Gillaspie, Fredrik Carmichaell, John Livistoun, Mungo Law, George Lesly, Samuell Austene, John Row, John Knox at Bowden, John Knox at Caringtoun, John Home, John Maghie, Alexander Livistoun, Thomas Vassie, John Lawder, Robert Knox, John Smyth, James Ker, Robert Young, Whytbank, Mr. Alexander Peirson, Mr. Robert Burnet, with the Moderator, to be a Comittee to consider the summonses for the divisive supplicatiouns, to hear and examine parties and witnesses, and report; to meet the morne at 8 houres in this place.

Committee for  
the Divisive  
Supplications.

The Commission appoints Messrs. Robert Baillie, John Smith, James Hamiltoun, Mungo Law, John Maghie, Gilbert Anderson, Mr. Alexander Colvill, Mr. Alexander Peirson, with these of the former Comittee, to be a Comittee for considering what is incumbent to the Comission to doe in relation to the insurrection in the North, or any vther publick bussines.

Committee for  
the Insurrection  
in the North.

The Commission appoints Mr. John Maghie to pray to the Parliament the morne, and Mr. James Gutterie vpon Fryday.

This day a supplicatioun was produced by James Campbell, showing his greefe of heart for his accession to the late Engagement against England, the consideratioun whereof the Commission refers to the next Generall Assembly.

Reference.  
James Camp-  
bell to As-  
sembly.

The Committee to met at 8 hours in the morning, and the Commission at ten.

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<sup>1</sup> These 'Reasones,' one cannot doubt, were drafted by Rutherford, but possibly revised by Calderwood, to whose account of the Inhibition of Assembly 1562, the free summary of it in these 'Reasones' bears a resemblance.



*Edinburgh, 1 Martij 1649, ante meridiem.*

*Sederunt* :—**MINISTERS**.—Mr. Robert Douglas, *Moderator*. Mr. John Row : Mr. George Leslie : Mr. John Moncreiff : Mr. Robert Traill : Mr. Thomas Wassie : Mr. John Home : Mr. Ephraim Melvill : Mr. Andro Wood : Mr. Gilbert Anderson : Mr. Andro Bennet : Mr. John Smith : Mr. Samuel Ruthfurd : Mr. James Gutterie : Mr. John Lawder : Mr. John Chalmers : Mr. Mungo Law : Mr. John Maghie : Mr. Patrik Gillaspie : Mr. Samuel Austaine : Mr. John Chalmers : Mr. Patrik Sharpe : Mr. Robert Ker : Mr. James Hamiltoun. **ELDERS**.—Lord Craighall : Dundas : Scotiscraige : Crafordland : Mr. Alexander Peirson : Mr. Alexander Colvill : Mr. Thomas Murray : William Browne.

Reference—  
Francis Orneile  
to the Assembly.  
Commission to  
those that repair  
to the Kings  
Majestie.

The Commission of Assembly refers Francis Orneile, for his accession to the unlawful Engagement, to the General Assembly.

The Commission of the Generall Assembly Doe hereby authorize Mr. Robert Blair, Minister at St. Andrews, Mr. Robert Baillie, Professor of Divinitie in the Universitie of Glasgow, and Mr. George Winrhame of Libbertoun, Elder, with their full power to repair to the Kings Majestie, and present vnto him their humble desires, That he may subscribe the Nationall Covenant, and the League and Covenant, and enjoyne the same, and that he may advance the work of Vniformity, and establish Presbyteriall Government, Directory of Worship, and Confession of Faith in all his Majestys dominions, and to deale with his Majesty to satisfie the desires of his subjects, for setling Religion and peace in his Kingdomes, and to doe everything for that effect according to the Instructions given to them thereanent.

*‘Instructions<sup>1</sup> for the Comissioners sent from this Kirk to the Kings Majestie.*

Their Instruc-  
tions.

‘Yow shall be carefull to try, so far as yow can, what is the Kings inclinatioun and disposition, what are his principles, who are his counsellors in whom he most confides, and whose counsells he most followes ; especiallie how he is grounded in Religion, What countenance he gives, or what affection he bears to Prelacie, the Service Book, and the Government, Worship, and ceremonies, that were in the Kirk of England ;

<sup>1</sup> These instructions, as found among Baillie's papers, are printed in the Appendix to Mr. Laing's edition of his *Letters* (vol. iii. p. 460). The variations from these minutes are noted below :—

And what forme of worship he vses in his family, what Ministers he hath with him, and whether he seeks God in secret.<sup>1</sup>

‘2. Yow shall expresse our deepe sense and detestatioun of the proceedings of the Sectaries against Religion and Government, and of their proceedings against the person and life of his Majesties Father.

‘3. Yow shall represent to him the affection of the Kirk of Scotland vnto Monarchie, and to the continuance of the same, as in the person of his Father, so in his person and posteritie.

‘4. Yow shall shew him how Presbyteriall Government is not onlie consistent with, but helpful to Monarchie, and take of<sup>2</sup> calumnies to the contrarie.

‘5. Yow shall represent vnto him our faithfull dealing with his Father, and our continuing constant in our principles, in reference to Religion and Government, without declining vnto the extremes either of Malignants or Sectaries.

‘6. Yow shall in a discreet way, at fitt opportunities, represent vnto him the sins of his house, becaus of opposition<sup>3</sup> to the worke and people of God, and perswade him thereupon to humble himself vnder the Lords hand, that the guilt thereof may be taken away.

‘7. Yow shall labour to informe him of the<sup>4</sup> things contained in the Nationall Covenant, and League and Covenant, and the true grounds of our and Englands entering thereinto, and to perswade him to subscribe these Covenants, and to enioyne the same, and to advance the work of Vniformity, and establish Presbyteriall Government, the Directory of Worship, and Confession of Faith and Catechisme in all his Majesties dominions; and yow shall show him how that this is<sup>4</sup> the only and effectuall way for secureing of Religion, establishing his throne, and setting and secureing the vnion and peace of these Kingdomes.

‘8. Yow shall take occasion to shew him that Prelacie was a meere vsurpation in Scotland, and never established by a law, and<sup>4</sup> that he is as yet vnder no oath nor obligatioun, as his Father was, for Prelacie in England.

‘9. Yow shall labour to perswade him to lay aside the

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<sup>1</sup> In private or not.

<sup>2</sup> Oppression.

<sup>3</sup> To take off.

<sup>4</sup> *The, is, and* omitted.

Service Book, if he use it in his family, and to conforme himselfe to the practise of the Kirk of Scotland.

‘10. Yow shall effectually and seriously represent to him the evill of the counsellis and designes of the Popish, Prelaticall, and Malignant party, *and particularly of these that have been evill instruments in disturbing the peace of the Kingdome, or now are risen to trouble the peace of this Kingdome,*<sup>1</sup> and labour to perswade him to forsake their counsellis and courses, and to cleave to those that are streight for Religion and Government, and will be faithfull both to God and him.

‘11. Yow shall shew him that we looke vpon the former idolatrie of his mother as a maine cause of the evils both of sin and of punishment, that have afflicted these Kingdomes; and therevpon seriously represent vnto him the evill and danger of a Popish mariage, and labour to dissuade him from maryeing any that is not of the Reformed Religion.

‘12. Yow shall labour to perswade him to hearken to the desires<sup>2</sup> both of Kirk and State, as that which will secure Religion, establish his Throne, satisfie his people, and setle peace.’

Letter to the  
Kings Majestie.

‘MAY IT PLEASE YOUR MAJESTIE,—While the Parliament of this Kingdome are making their humble addresses to your Majestie by their Comissioners, we thought it our duty to send some of our number, also instructed with Comission from vs, by whom your Majestie may understand the integrity of our intentions toward Monarchicall Government, and the continuance thereof in your Majesties person and posteritie, and our vtter destestation of those abominable and vnparalleled practises of some against the person of your Majesties Father, and their subverting the ancient and fundamentall Lawes and Government of these Kingdomes. Our humble and earnest petition to your Majestie is, that yow would be pleased to grant the desires of your loyall subjects, who sincerely seeke the establishment of your Throne in Righteousnes. And as yow love the glory of God, the good of Religion, your owne honour and happines, and the peace and welfare of these Kingdome, yow would not hearken to the counsellis, nor countenance or

<sup>1</sup> The clauses printed in italics are omitted in Baillie.

<sup>2</sup> *desyre.*

owne the courses of them, who have been and are vsurpers vpon the priuiledges, and disturbers of the peace of this Kirk and Kingdom. Our Commissioners will acquaint your Majesty more fully with our mynd, vnto whom we humbly desire your Majesty may give credit, and interpret our freedome and plaine dealing by them as a reall testimony of our vnfained affection to your Majesties person and Government. We have hitherto laboured to approve ourselves in all fidelitie to our Lord and Master Jesus Christ, and in all loyalty to Kingly authority; And we are resolved to walk still after the same rule, in our severall stations and vocations, amidst all the difficulties and oppositions, wherewith we are assaulted on either hand; Praying for your Majesty, that the Lord of the whole earth would multiply all sorts of mercies vpon your Royall person, and graciously inclyne your young and tender heart vnto the speedy embraceing and following of the counsell of truth and righteousness, and grant vnto your Majestie a long and happie raigne, that we may live vnder yow a peacable and quyet life in all godlines and honestie, who are,

Sir,

Your Majesties loyall and loveing subjects  
and humble servants in the Lord,

THE COMISSIONERS

Edinburgh,  
1 Martij 1649.

OF THE GENERALL ASSEMBLY.'

The Commission appoints the letter<sup>1</sup> following to be sent to Rivet and Spanhemius :—

'REVERENDISSIME DILECTISSIMEQUE FRATER,—Exploratus a multis jam annis tuus in Domum Dei zelus, compertumque de Reformatis omnibus Ecclesiis bene merendi studium efficit, vt quis sit rerum apud nos in presentia status, per fratres nostros dilectissimos, tue prudentiæ confidenter aperire, et a tua pietate fraternum auxilium expectare non dubitemus. Probe novisti, sat scimus, quam atrocia, quam diuturna mala Regna hæc et Ecclesias jamdudum vexent. Maximum semper bonorum hic omnium desiderium fuit, per prosperam pacem imponendi tandem aliquando finem durissimis calamitatibus, quibuscum, integro jam decennio et quod excurrit,

<sup>1</sup> These letters, Baillie says, were of his draught, which accords with the statement on p. 211.—*Letters*, vol. iii. p. 461.

conflictati sumus. Sed, ecce, nova semper tempestas, prioribus sævior incumbens, rejecit in novum malorum mare. Dederant nostri quantam maximam valebant operam, vt æquis conditionibus Thronus, pristinusque splendor, et quæcunque desiderari villo jure poterant, Regi restituerentur; sed maleferiati susurrone calamitatum nostrarum vel primi auctores, vel assidui fautores, nunquam desinebant pessime consultum principem suis artibus perdere. Ordines<sup>1</sup> Regni, vt primum infaustum de Patris nece (quod facinus toto pectore execramur,) nuncium acceperere, quam fieri potuit maximâ solennitate absentem statim Filium edicto publico Regem declararunt, et Literas egregiæ suæ voluntatis plenas tam terra quam mari perscripserunt; Legatosque suos Londino vestram Hagam proficisci jusserunt, et alios istius Legationis socios hinc amandarunt, qui humillima sua postulata et saluberrima consilia novo Regi communicarent. Id quod ante alia in præsentiarum sollicitos habet, tenella est Regis adolescentis indoles, licet optime spei, quem circumsederunt jam multi piorum in vtroque regno consiliis vel aperti semper hostes, vel non satis constantes amici. Hoc est, Reverende vir, in quo tuam operam industriamque nobis necessariam arbitramur. Scimus quo zelo flagres erga Dei veritatem, et quo tenearis desiderio videndi nostram Britanniam in puritate Religionis, et justa legum libertate, firmaque pace restabilitam. Scimus quantopere abhorreat tua æquanimitas ab eorum hominum perversitate, qui, vel suis erroribus pervicaciter adhærentes, vel suis privatim compendiis promovendis, aut reparandis dispendiis inhiantes, incautum Regem in præcipitia secum abducere, totaque Regna ac integras Nationales Ecclesias novarum ruinarum saxis illidere, flocci non faciunt. Hic est vbi magnum Legatis nostris a Diabolo certamen paratum<sup>2</sup> metuimus, et vbi tuam pietatem exoritam cupimus, vt velis non gravate, consilio et auctoritate tua, quibus plurimum istic locorum vales, adesse fratribus quos illuc delegavimus, ad res omnino maximas procurandas, quas<sup>3</sup> non nostram tantum tam Regni quam Ecclesiæ, sed et totius Insulæ, Regis insuper Regiæque familiæ salutem, imo vero Reformatarum omnium Ecclesiarum emolumentum, vnice spectare certissimum habemus. Existimamus Auraniæ Principem, et Regiam ipsius conjugem, Reginamque Bohemiæ, flectendi tenellum Regis animum ad sana consilia non mediocri facultate pollere. Scimus quantâ meritisime gratiâ apud istorum omnium Serenitates valeas; Quantum-

The following are the various readings in Baillie's *Letters*:—

<sup>1</sup> *Status.*

<sup>2</sup> Omitted in Baillie.

<sup>3</sup> *quam.*

cunque tuæ prudentiæ visum fuerit piissimo huic operi incumbere, speramus Dominum in suo die remuneraturum, nos certe gratissima semper mente recognituros pollicemur.

Tui in Domino fratres amantissimi, a Nationali Concilio Deputati, et omnium nomine,

*Dabantur Edinburgi,* [R. DOUGLASSIUS]<sup>1</sup> *Conventus Moderator.*  
*Cal. Martij 1649.*

‘Direct:—*Clarissimo viro, ac fratri in Christo dilectissimo, Domino Andreae Riveto,<sup>2</sup> in Academia Leydensi<sup>3</sup> Sacræ Theologiæ Professori.*’

‘REVERENDE VIR,—Humanitas tua vere singularis, quam expertes Letter to Spanheim.  
abunde se sunt professi fratres a nobis ad Synodum Westmonasteriensem deputati, in suo ad Hollandos diverticulo, efficit vt nostros jam ad Regiam Majestatem in Hollandia delegatos tuæ curæ fidenter audeamus commendare. In magnis cum Rex tum res tota Britannica in præsentiarum hærent angustiiis. Attollimus oculos ad Dominum, in quo nostrum auxilium et vnica spes fixa remanent. Expectamus a fratribus transmarinis perseverantiam in suis ad Deum pro nobis precibus, omnibusque, qua se dat occasio charitatis officiis, vt mutuis operis<sup>4</sup> Christi Regnum, quodincipia Satanæ cunctis inferni<sup>5</sup> machinis labefactari student, sartum tectum conservetur, et incrementum capiat. Non laborabimus scienti, vt putamus, commonstrare quæ sit rerum nostrarum hodie conditio ; si

<sup>1</sup> So Baillie.

<sup>2</sup> Rivet and the elder Spanheim, twin stars in the theological firmament of the University of Leyden, and, indeed, in that of Holland, were in high esteem among the Covenanters of Scotland and England. They both belonged to the stricter school of Calvinists, which opposed the more liberal views of Cameron, Amyraut, Davenant, and Ussher ; and Spanheim had been persuaded by David Buchanan, prompted by Baillie, to publish, with the approbation of his colleagues, a treatise of eighty pages in refutation of the views of the Independents under the title, *Epistola ad Nobilissimum Virum Davidem Buchananum super Controversiis quibusdam quæ in Ecclesiis Anglicanis agitantur*. Rivet was born and educated in France, and rose to distinction in the French Protestant Church before his removal to Holland. Spanheim was born in the Upper Palatinate, educated partly at Geneva, filled various chairs there, especially that of theology, in succession to the elder Turretine, before coming to Holland. Rivet lived to reply to Baillie's letter (see *Letters*, vol. iii. p. 463), but died in 1561. Spanheim died very soon after receiving the letter here addressed to him. Indeed, in the first edition of Hertzog's Cyclopædia and Schaff's abridgment of it, his death is placed in 1648 ; but 1649 is rightly substituted in the second edition.

<sup>3</sup> In Baillie, Lugdunensi.—*Letters*, vol. iii. p. 462.

<sup>4</sup> In Baillie, *et mutuis operis ut*.

<sup>5</sup> In Baillie, *infernis*.

quæ hac in parte dominum lateant, docebunt, quam voles prolixè coram, quos mittimus fratres. Abs te, Reverende Vir, obnixè petimus, vt pro magna tua prudentia et auctoritate, qua in aula Arausionensi ac Reginæ Bohemiæ polles, velis pro virili promovenda curare quæ Serenissimo Regi per deputatos fratres humillima postulata et saluberrima consilia deferenda commisimus. Quam huc navabis<sup>1</sup> Deo, Regi, Ecclesiæ, et nobis operam, fausta sit et fœlix, remunerabitur certe cœlitus Jehova, et nos gratissima mente repositam conservabimus.

*Dabantur Edinburgi  
pridiæ Calendis  
Martij 1649.*

Tui in Domino fratres amantissimi, a Nationali Synodo Deputati, ac omnium nomine,  
[R. DOUGLASSIUS]<sup>2</sup> *Conventus Moderator.*

‘Direct:—*Viro Clarissimo, ac Reverendo in Christo fratri, Domino Frederico Spanhemio, in Academia Lugdenno-Batava Sacræ Theologiæ Professore.*’

Letter to  
Thomas Cun-  
ningham, Con-  
servator.

‘SIR.—Wee are very sensible of your constant affection to your cuntry, and to Religion, and the cause of God amongst us, and of the great expens of paines and of meanes that yow have been at for advancing of the samen. And seeing this Kirk and Kingdom have resolved to make addresses to the Kings Majestie, in those things that concerne the securing of Religion and settling of peace, and have sent their Comissioners vnto him for that effect, Wee are confident that yow will give them the best assistance that yow can in all things, wherein yow may be vsefull vnto them, by your counsell and paines, which, as it will be a continued testimony of your integritie and zeale, so will it very much oblige,

Your affectionat frienda.

*Edinburgh,  
1 March 1649.*

THE COMISSIONERS

OF THE GENERALL ASSEMBLY.’

‘Direct:—*To the right worthie and our much esteemed friend, Thomas Cunynghame, Conservator of the Priviledges of the Scotts Nation in the Low Countries.*’

Letter to Mr.  
Robert Petre.

‘REVEREND BROTHER,—Wee did not long since write vnto yow, and, as we did then signifie, have given order to our brother, Mr. James Hamiltoun, to acquaint yow with the condition of our affaires from time to time. We have sent Comissioners to the

<sup>1</sup> *hic navaveria.*

<sup>2</sup> So Baillie.

Kings Majestie, with our humble desires and counsells, in those things that concerne the settling and secureing of Religion and the League and Covenant, and we are confident that yow will give them the best countenance and assistance that yow can, by which yow will oblige,

Your affectionat brethren,

Edinburgh,  
1 March 1649.

THE COMISSIONERS  
OF THE GENERALL ASSEMBLY.'

'Direct:—*For their Reverend brother Mr. Robert Petre,<sup>1</sup> Minister at Rotterdam.*

'REVEREND AND BELOVED BROTHER,—Our experience of your love to our Countrey, and of your affection to the comon cause, wherein we have, in the providence of God, been long exercised against the comon enemies of the work of God here, maks ws confident of your readines to assist ws to your power at all occasions.

Letter to Mr.  
William Spang.

'Wee have sent over to his Majesty some of our number, with our humble desires and best advices in these things which concerne the cause of God, and welfare of this land. We doe desire yow to give your best advyce and assistance to them, in all things they have to doe in these bounds, as yow would put vpon ws a new obligation, who are

Your loveing brethren,

Edinburgh,  
1 March 1649.

THE COMISSIONERS  
OF THE GENERALL ASSEMBLY.'

'Direct:—*To their Reverend brother, Mr. William Spange,<sup>1</sup> Minister at Camphair.*

The next meeting at tuo houres.

*Eodem die, post meridiem.*

Sederunt vt supra, cum Messrs. John Home and John Chalmers.

The Comission thinke it fitting to wrytte to Pluscardie, Collonell Fraser, Lumlare, and others now reported to be

<sup>1</sup> For notices of Petrie and Spange, see notes, p. 313 of former volume of *Minutes of Commission*. For notice of Cunningham, see note, p. 208 of same volume.



in rebellion about Innernes,<sup>1</sup> and resolve vpon this letter following:—

Letter to Pluscardie and others at Innerness.

‘MUCH HONOURED AND RESPECTED IN THE LORD,—It is vnto vs mater of no lesse wonder then grieve that, after so many evidences and demonstratiouns of the Lords hand, in carrying on of His Work in these Kingdoms in behalfe of His people, and in defeating all the designes, and breaking all the power and pride of all the enemies and opposers thereof, that any should be found in this land, especially amongst those who are vnder the oath of God, and the tie of the Nationall Covenant and of the Solemne League and Covenant, so desperately wicked and malicious as to make insurrection, and againe to take armes for bearing doune the Lords people, and caryng on the designes of the Popish, Prelaticall, and Malignant party, and such as are enemies to Religion and Government; which is a crime the more atrocious and scandalous, becaus it cannot but much impd a right vnderstanding betuixt the King and his people, and hinder the secureing of Religion and setling of his Majesties Government. And therefore, as the Lord will be highly provoked to wrath by such wicked practises, and punish the same, if not desisted from and repented of, with many great and sore plagues, so we cannot but in the conscience of our duty proceed, against all the authors and chief promoters thereof, with the sentence of excommunication, that others may learne to fear and abhorre such abominatiouns. And albeit your offence is of that nature, that we might presently proceed against yow with that dreadfull sentence, yet conceiving that yow may be abused and misled by the subtile pretexts and insinuations of others, that have been alwayes open enemies vnto, or secreit vnderminers of the work of God, and being desireous to deale tenderlie with yow, These

<sup>1</sup> Mackenzie of Pluscardin, Monro of Lumlair, Colonel Fraser, and several others not here named, and among them Middleton, and Lewes Gordon eldest son of the forfeited Marquis of Huntly—all of them favourers of the ‘late unlawful engagement’—had taken up arms again, and harried and plundered many of their peaceful neighbours, but were reduced to obedience by Sir David Leslie, and, on their submission and payment of stipulated fines, received assurance from him and the Estates, that they would not be called in question either for their accession to the engagement or for their share in the more recent commotions.—*Acts Parl. Scot.* vol. vi. pt. ii. p. 394.

are to admonish yow to desist from and repent of that horrid insurrection and rebellion, that yow have involved yourselves into, and withall to intimate vnto yow and warne yow that, if yow doe not hearken to this our seasonable admonition, and take warning thereby to goe no further on in that most scandalous and wicked course, but desist therefra and repent for what yow have already done, and make the samen really to appear by a tymeous signification thereof vnto ws, within ten dayes after this come to your knowledge, that we will proceed against yow, and such of any qualitie as shall joyne with yow, vnto excommunicatioun, which we hope and desire that yow will be carefull to prevent. So we rest,

Your affectionat friends in the Lord,

*Edinburgh,*  
1 March 1649.

THE COMISSIONERS  
OF THE GENERALL ASSEMBLY.'

'RIGHT HONOURABLE,—As we have had experience of your activitie and care against the common enemies of this Kingdome, so of the goodnes of God in preserving yow and giving yow success, which sould be an ground of incouragement vnto yow in your present imployment and difficulties, and, God willing, we shall not be wanting vnto yow with our prayers; Wee have sent a letter to the chiefe of those that have made the insurrection at Innernes, giving them warning that we will proceed to excommunicatioun against them, if they doe not presently leive that wicked course and repent. We have sent three or four copies, and must earnestly intreat that yow will send the same to Innernes, or to any other place where any of these persons are, and that yow will returne vnto us with convenient diligence some certain report and evidence of the delivery of the letters, and of the date of their delyverie, by which yow shall put a new obligatioun vpon

Letter to  
Lieutenant-  
Generall.

Your affectionat friends,

*Edinburgh,*  
1 March 1649.

THE COMISSIONERS  
OF THE GENERALL ASSEMBLY.'

The Commission of Assembly appoynts Messrs. Andro Bennet, James Gutterie, Robert Ker, Ephraim Melvill, Samuell Rutherford, John Moncreiff, Patrik Gillaspie, Fredrick Carmichaell,

Major  
Strachan.

Mungo Law, James Hamiltoun, John Smith, Samuëll Austein, Lord Craighall, Nidrie, Dundas, Whytbank, Mr. Robert Burnet, with the Moderator, to consider Major Strachans bussines and to report.

The nixt meeting the morne before noone.

*Edinburgh, 2 March 1649, ante meridiem.*

The brethren present continues their meeting vntill 4 houres after noone.

*Edinburgh, 2 March 1649, post meridiem.*

*Sederunt* :—**MINISTERS**.—Mr. Robert Douglas, *Moderator*. Mr. Andro Bennet : Mr. John Muncreiff : Mr. John Smith : Mr. Ephraim Melvill : Mr. Robert Ker : Mr. Samuëll Austaine : Mr. Samuëll Rutherford : Mr. Alexander Livistoun : Mr. David Auchterlony : Mr. James Gutterie : Mr. John Knox in Selkirk : Mr. Mungo Law : Mr. John Row : Mr. Patrick Gillaspie : Mr. John Maghie : Mr. John Lauder : Mr. Fredrick Carmichaell : Mr. Thomas Vassie : Mr. Thomas Wilkie : Mr. Andro Wood : Mr. James Hamiltoun : Mr. Patrik Sharpe. **ELDERS**.—Lord Craighall : Laird Nidrie : Whitbank : Mr. Alexander Peirson : Mr. Robert Burnet : William Browne.

This day the Petition following being presented by Sir James Hope :—

Petition of Sir James Hope for erecting a kirk at the Lead Mynes.

*‘ Vnto the honourable Estates of the High Court of Parliament, the Petition of Sir James Hope humbly sheweth—*

*‘ That whereas I have certane lead works within my lands and Barrony of Waterhead, and be occasion thereof a great number of workmen, both natives and strangers, who with their wyfes and children make vp a considerable number, amongst whom (to my no small greife) there is no thing but impiety and want of the knowledge of God, occasioned throw the great distance of the saids works from the nearest Church therabout, wherevnto they cannot so conveniently repair because of the great stormes that are frequent in those mountanous places, Heirfore I humbly crave that an Parish Kirk may be established and erected at the saids works in the most convenient place, at the sight and appointment of the Presbyterie of Bigger, quhervnto the samen is to be adjoyned, to be called in all tyme cuming the Parish Kirk of<sup>1</sup> , and being built, that the samen be planted by the said Presbyterie, or*

<sup>1</sup> Blank in MS. and in *Acts of Parliament*.

such as, by the generall course to be taken thereanent, shall have the power of planting of Kirks within this Kingdome, And that for building of the Kirk, and provision of an Minister to serve the Cure thereat in all tyme cuming, the few dewtie contained in my infestments of the saids lead mynes and vthers mineralla, which is the tenth part of the oare, winne out thereof, or an thowsand marks in my option, may be mortified in tyme cuming to the said Kirk and Minister thereof, And that so much the rather, not only because I am content to acquiesce to the said mortificatioun in favours of the said new Kirk suae craved to be erected, howbeit the said few dewtie hath ever past memory of man been dispoised, be take or otherwayes, to the prosequitours of the saids works, (without the which they would hardly have been able to vphold them,) and which for the present is also standing in my person, quherof, be the erection and mortificatioun foirsaid, I and my successors will be disappointed and out of all expectatioun for ever, Bot also because the said few dewtie of the tenth part of the said lead oare, or of the thowsand marks, the one or the other therof, being only payable be the saids infestment at my option, and so in a possibilitie to be some yeirs nothing at all, (as it hes been severall yeirs since thir troubles and of before,) or whollie to cease to be, by the overgiving of the saids works, quherby, though it were mortified, the Kirk now craved to be erected might be either disappointed or altogether destitute of provision, I for advanceing of so good a work am willing, and doe hereby make offer, to mortifie in place of the said few dewtie the sowme of ten thowsand merks vsuall money of this realme, and am content presentlie to give sufficient surety for payment thereof, at Mertimes nixtocum, to any persones who, be the Comissioners for Plantatioun of Kirks, shall be appointed to receive the same, to be employed at their sight and appointment vpon teinds, landrent, or vtherwayes as occasion may be found, to the effect that the whole rent and proffeit thereof may be employed for building of the said Church, and thereafter towards the making vp of a settled and constant stipend for the said Kirk in all tyme cuming, And in place thereof that your honours would seriously recomend to his Majestie that, vpon the foirsaid respects, his Majestie would be pleased to

grant an gift and sufficient surty, for all tyme hereafter, to and in favours of me and my foirsaid, of the foirsaid few dewtie of the saids mynes and mineralls, contained in our saids infestments, discharging thereby his Majesties Thesaurer, or Comissioners of his Majesties Thesaurarie and Comissioners of his Majesties Exchequer, and all vthers quhomsoever pretending his Majesties right or power to medle therewith, of all chargeing or troubleing of me or my foirsaid for payment thereof in any tym hereafter; And lykewayes, as if the foirsaid gifts and surty wer already granted, now as than and than as now, that your honours would ratifie and confirme the samen to me and my foirsaid, and for the reason and cause foirsaid wold allocat and dispoine to us the right of the foirsaid few dewtie, contained in my said infestments, to belong to us als fully and freely, as the vther nyne parts of the saids mynes and mineralls perpetually in all tyme cuming, the Reddendo or any vther clauses contained in my infestments or vthers rights of the samen, Acts of Parliaments or vthers, made anent mynes to the contrary in any wayes notwithstanding, Expressly dischargeing as is afore-said, and declareing that the said few dewtie shall never, at any tyme hereafter, be evicted or exacted from me or my foirsaid, be his Majesty or his successors, or any haveing their right or power to that effect, bot after repayment first made be them to us of the foirsaid sowme of ten thousand merks *cum omni causa et interesse*, And would further declare that thir presents, anything therein contained, or that may follow therevpon, nor my or my foirsaid accepting or making vse thereof, sall no wayes be any ground or reasone of impugneing or infringing of our saids infestments or vthers rights of the saids mynes and mineralls, or tenth part thereof, bot on the contrare, in further corroboratioun of the samen, *accumulando jura juriibus*, to confirme and ratifie the samen, in the whole heads and tenor thereof, als fully as if the samen were *verbatim* herein expressed, in sua far as the samen may establish to me and my foirsaid our right thereto allanerlie. And for my further encouragement in prosecuteing of the saids works, I humbly desire that your honours would be pleased to ratifie and renew, in favours of my said works and workmen, their freedome and immunity from all publick dewes and impositions quhatsom-

ever, And to that effect reveive all former Acts generallie or specially made or conceived in their favours, or in favours of myners or prosequutours of such publick works, at any tyme of before, And specially the Acts of Parliament of June 1592 and Act of the Comittee of Estates, 8 December 1643, Declareing that the samen shall never be vnderstood to be comprehendit or fall vnder any generall revocation or Act of rescissione made or to be made in any tyme hereafter, vnles that the samen be revoked or repealed *per expressum*. And your honours answer.<sup>1</sup>

The Commission of the Generall Assembly, haveing with all thankfulness acknowledged the pious vndertaking of the petitioner, praying the Lord to blesse the same, Doe seriously recomend to the honourable Estates of Parliament so laudable and pious a motion, that their Lordships may be pleased, according to the desire of the petitioner, to erect the lead mynes in a Parish, and to give order, warrand, and authority for everything that may promove so pious a worke, and encourage and enable the petitioner for perfecting the same.<sup>1</sup>

This day the Earle of Cassills, Lord Advocat, Alexander Jaffray, haveing presented the desire of the Parliament that the Comission would shew what in their judgement the Parliament ought to doe with the Marques of Huntlie, The Comission of Assembly, haveing considered the said desire, Doe vnanimously returne this answer, That it is clear from the Word of God that murtherers sould die without partiality, and that the Generall Assembly hes censured Ministers for preaching contrarie doctrine, And whether the sumtyme Marques of Huntlie be guiltie of murther it is competent to the Parliament to consider; And Messrs. Mungo Law, James Hamiltoun, James Gutterie, Robert Ker, and Mr. Robert Burnet shall deliver this ansuer verballie to the Parliament.

<sup>1</sup> A petition from Sir James Hope, in almost identical terms, was presented to the Estates of Parliament along with the above recommendation of the Commission of Assembly, and was earnestly recommended by them to the favourable consideration of the 'Commissioners for Planting of Kirks,' and to the 'Commissioners of the Exchequer,' that the petitioner might be enabled and encouraged to the perfecting of so pious an undertaking, 'according to the desyre of the Commissioners of the General Assembly.'—*Acts Parl. Scot.*, pp. 293, 294.

*'The humble Supplication of the Commissioners of the Generall Assembly vnto the honourable Estates of Parliament in reference to the Armie.'*

Petition to the  
Parliament in  
relation to  
the armie.

'It is better knowne to your Lordships, then that we need to take vp much of your time in representing of it, how great scandalls have come to passe, both at home and abroad, and how many evils, both of sin and of punishment, have afflicted and waisted this land by the Malignancie and profanitie of many in our former Armies, which this Kirk and Kingdom have so farre resented as to make solemne publick confession thereof vnto God, and to ingadge themselves for purging of, and imploying none in Judicatories nor Armies, but such as are of approven affection and integritie in the cause of God, and of a blameles and Christian conversatioun. And haveing been informed from many of our number, and others of trust in severall places of the countrey, that there be still many Malignant and profane scandalous persons amongst the forces, now on foot in this Kingdom, and now being confirmed in the truth thereof, by their late cariage in severall of your garisons, We doe, for the discharge of our consciences, and from the sad apprehension which we have of the most dangerous consequences of such an evill, and from the remembrance of the Armies defection the last yeir, and the many sad effects that followed therevpon, Earnestly beseech and exhort your Lordships that yow wold, with all convenient diligence, nominat and appoint some faithfull, active, and honest men, authorized with power and commission from your Lordships, to repair to the severall troopes and regiments, and to call before them all inferiour officers and souldiers, to receive informations and delations, to cite and examine witnesses, vpon oath, concerning the cariage of all inferiour officers and souldiers, in reference to Malignancy and profane and wicked cariage; and if they shall finde any officer that hes been in the former Ingagement, or any souldier that hes been in the said Ingagement, and hath not a sufficient testimoniall of his repentance, or any officer or souldier that have vttered Malignant and disaffected speeches, or carry themselves in a Malignant way, or are given to plundering, sweiring, drunkenness, vncleannes, or any other scandalous

sinne, that they have power presently to cashere them ; Or that your Lordships will take some other way that may be more effectuell then this. And because your Lordships are about a new levie, Wee humbly desire that, as yow have declared that no officer or souldier, who hes been in the vnlawfull Ingagement, shall be imployed in this levie, so yow will be pleased to adde such certificatioun, and take such course as may make this effectuell ; And, conceiving it to be a verie effectuell meane for purging of the Army, and keeping them in a right order, and procureing the Lords blessing vpon their vndertakings and actions, to have them provided with Ministers, Wee doe also humbly desire, that yow will settle some competent maintenance for Ministers or Expectants to attend the severall Regiments.'

*'The humble Supplication of the Commission of the Generall Assembly vnto the honourable Estates of Parliament concerning the Earles of Athole, Caithnes, Wintoun, Lords Semple, Seatoun, and Mordingtoun.'*

'Conceiving nothing to be of greater importance, vnto the flourishing of Religion and righteousnes in the land, then the breeding of the youth in learning, and pietie, and vertue, Petition to the Parliament for some papists and their children. especiallie these of the Nobility, and such as are of eminent power and place in the Kingdome ; and being informed of the small care which is had of the breeding and estates of the Earles of Athole, Caithnes, and of the Erle of Wintoun, and the Lords Seatoun, Semple, and Mordingtoun their children, and severall others, Wee doe humbly desire your Lordships to take the breeding of these and such others vnto your Lordships consideratioun ; and though we will not prescribe, yet we doe humbly conceive it expedient, that the Earles of Athole and Caithnes be constantly bred in this towne, and that, when at any tyme they sall remove hence, they doe acquaint the Comittee of Estates and Lords of Secreet Counsell therewith, and have power from them for that effect, because they are now taken and withdrawn from schooles at the pleasure of particular persons, vnto the great prejudice of their breeding in learning, and pietie, and vertue, which cannot but at last be a great detriment to the Commonwealth.'



*'The humble Supplication of the Commission of the Generall Assembly vnto the honourable Estates of Parliament concerning Doctor Sharpe.'*<sup>1</sup>

Doctor Sharp.

'If the exceeding great necessity of the relict and children of vnuquhill Doctor Sharpe, and the equitie of the thing in it selfe did not presse vs, we sould be silent in this particular. Bot seeing Doctor Sharpe, from his affection and zeale to the publick cause, did lende his whole stocke, extending to the sowme of twentie thousand merks, for promoting of publick affaires, and that his wyfe and children cannot but be redacted to poverty, if course be not taken for their satisfaction, Therefore we doe humbly supplicate your Lordships, that seeing all meanes, which have hithertills been essayed, have been ineffectuall, that yow will be pleased, from your respect to publick faith, to justice and equitie, to his sufferings and paines in the work of God, his affection and zeale to the Cause of God, and from your charitie and compassion to the necessities of his widow and children, to take some speedy and effectuall course, how they may presently have their annuell, and at least vndoubted security for their principall sowme. We are almost ashamed to be so importunat with your Lordships in a thing of this nature, bot necessitie constraines vs, and we hope that your Lordships shall take such course herein at this tyme, that we shall not need to trouble your Lordships againe in this particular.'

Cowper.

This day, produced from the Presbyterie of Couper by Mr. Andro Bennet, in answer to the letter sent vnto them, a report of the condition of all the parishes within that Presbyterie

<sup>1</sup> As mentioned in the former volume of the *Minutes*, pp. 176 n., 585 n., provision had been made for the payment of the debt due to Dr. Sharp, first out of the second £200,000 due by the English Parliament, and then, on their failure to pay their debt, out of the 'monthly maintenance;' but this also failed. On 30th May 1849, in answer to the above supplication of the Commission on behalf of Dr. Sharp's widow, the Estates promised to take course for payment of the said supplicant before the rising of that session of Parliament, and accordingly, on 19th June, they arranged that she and some other sufferers should be paid from certain fines and forced loans expected to come in. But so far as appears from the entries in *Acts Parl. Scot.* vol. vi. pt. ii. pp. 387, 416, 572, 606, up to 5th July 1650 she remained unpaid.

except 3, viz., Kettle, Strochmiglo, and Colleslie, together with a list of the persones debarred from the Covenant or Comunion, for their accession to the Engagement.

The next meeting on Tuesday at 10 houres.

*Edinburgh, 6 March 1649, ante meridiem.*

*Sederunt*:—**MINISTERS**.—Mr. Robert Douglas, *Moderator*. Mr. Thomas Vassie: Mr. John Sinclair: Mr. James Hamiltoun: Mr. Robert Elliot: Mr. John Adamson: Mr. John Row: Mr. Thomas Wilkie: Mr. John Knox: Mr. Patrik Sharpe: Mr. John Moncreiff: Mr. John Smith: Mr. Mungo Law: Mr. Robert Young: Mr. James Gutterie: Mr. Robert Knox: Mr. John Giffane: Mr. Alexander Livistoun: Mr. David Auchterlony: Mr. Andro Rennie: Mr. John Knox at Boldon: Mr. Gilbert Anderson: Mr. Patrik Gillaspie: Mr. Samuell Austaine: Mr. John Home: Mr. Fredrik Carmichaell: Mr. John Livistoun: Mr. John Lawder. **ELDERS**.—Lord Angus: Lord Craighall: Sir James Fraser: Mr. Alexander Peirson: Mr. Alexander Colvill: Mr. Robert Burnet: Mr. Thomas Murray: William Browne.

The Commission of Assembly, having considered the petition of Sir James Fraser, and his great losses and good deservings, Doe appoint Mr. James Hamilton and Mr. John Row to assist his petition at the Parliament, for repayment of moneyes debursed by him for the vse of the publick.

*Recommendation, Sir James Fraser.*

The Commission, having heard the opinion of the Committee concerning the tryall of Doctor John Strange and Mr. William Wilkie their accession to the Divisive Supplication, Doe refer the Doctor to the visitation of the Vniversitie of Glasgow, and Mr. William Wilkie to the Provinciaill of Glasgow, in the said mater.

*Reference, Doctor Strange and Mr. William Wilkie.*

This day the Earle of Cassills, Kings Advocat, and Alexander Jaffray communicate vnto the Commission the letters the Parliament received from their Comissioners at London, with a Protestation of our Commissioners against the proceedings of the Court of Justice in taking of the Kings life, together with other papers sent from the Commissioners.<sup>1</sup>

<sup>1</sup> A letter from the English Council of State, enclosing an Order of the 'Rump' of the English House of Commons, calling itself the Parliament of England, had been sent to the Parliament of Scotland, 'to know whither they doe or will owne and justify' the paper given in, in their name, by their Commissioners, and protesting against the trial of the king, and violent putting of him to death, as well as other recent proceedings, in subversion of the freedom of Parliament, and in violation of the Solemn League and Covenant. The letter,

Reference—Mr.  
Andro Ramsay  
to the Generall  
Assembly.

The Commission, haveing considered the opinion of the Committee concerning the tryall of Mr. Andro Ramsay his accession to the Divisive Petition, and finding Mr. Andro to be now suspendit by the late Generall Assembly, Doe therefore refer him in the said matter to the nixt Generall Assembly, and Mr. Andro, personallie present, is warned hereof *apud acta*.

Reference—  
Mr. Edward  
Richardson.

The Commission, having considered the report of the Committee concerning the tryall of Mr. Edward Richardson his accession to the Divisive Supplicatioun, Doe remitt the matter to the Presbyterie of Perth for further tryall and clearing of the particulars in his proces, to be reported against the nixt quarterly meeting, and Mr. Edward to be cited to that dyet with certificatioun.

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Order, and paper complained of, will be found in *Acts Parl. Scot.* vol. vi. pt. ii. pp. 706, 707; and at p. 276 of the same volume will be found the firm and dignified answer returned by the Scottish Parliament, and their protest against the restraint put on their commissioners as 'contrary to the publick faith and law of nationes, by which the freedome of ambassadoris and commissioneris is sacred and inviolable, not only betwix Christiane, but even among heathen kingdomes and States.'

These papers of the Scottish Commissioners were printed in 4to form at the time, and reprinted in 1660 under the title '*Several Letters from the Commissioners of the Kingdoms of Scotland, Residing at London, to William Lenthall, Speaker of the House of Commons, concerning the proceedings against Religion, the King, and Government. Together with their Declaration and Protestation against the taking away his Majestie's life, and their Letter to Sir Thomas Fairfax, Jan. 1648-9; as also their Demands, 24th Feb. 1648-9, for King Charles the Second as righteous Heir of the Crowns of these Kingdoms, and their second Protestation against the Proceedings of the Commons then sitting at Westminster; Together with a Declaration of the said Commons upon that Paper, and the Imprisonment of the Commissioners.*' This declaration bore that the paper of 24th February 'doth contain much scandalous and reproachfull matter against the just proceedings of this Parliament . . . and lastly a design in the contrivers and subscribers of it to raise sedition and lay the grounds of a new and bloody war in this land,' and it was ordered 'that the Commissioners of Scotland shall have a guard set upon their lodging to secure them, and also to restrain them from communication with any.' 'Upon this Order, Colonel Harrison gave warrant to Captain Sexby, who committed them and Master Robert Blair, Minister at St. Andrews, and Commissioner for the Kirk of Scotland, close Prisoners in the Block House at Gravesend, and after their restraint several days, they were sent with a guard . . . to Berwick, there to be detained, unless the Estates of Scotland did own their proceedings. And the Estates of Scotland, having owned their Letters, Declarations, and Protestations, they were dismissed at the Bound-rod.'

This day Mr. William Colvill, present, desired that before he should answer to any interrogatione, that his answer be first read, which the Comission thought reasonable, and the petition being read, The Commission moved the interrogatioun which was proponed to him by the Comittee, and appoints him to answer therevnto the morne in writt.

Mr. William Colvill.

The Committee to meet at two hours, and the Commission the morne at 10 heures.

*Edinburgh, 7 Martij 1649.*

*Sederunt vt in sessione precedenti.*

The Commission appoints Mr. George Nairne, and his parochiners of Cameron, to be cited to appeir here vpon this day 8 dayes, the 14<sup>th</sup> of this instant, to answer to the desires of the parochiners of Bruntyland for the transportatioun of the said Mr. George, with certificatioun, if they appeir not, the Comission will proceed notwithstanding.

Bruntland contra, Mr. George Nairn.

The Commission appoynts the Comittee for Divisive Supplicatiouns to be a Comittee for considering the matter referred from the Presbytery of Jedburgh, and to report.

The next meeting the morne after sermon.

*Edinburgh, 8 Martii 1649, ante meridiem.*

*Sederunt:—MINISTERS.*—Mr. Robert Douglas, *Moderator.* Mr. Fredrik Carmichaell: Mr. John Knox at Cranstoun: Mr. James Gutterie: Mr. David Auchterlony: Mr. Ephraim Melvill: Mr. John Giffan: Mr. Patrik Gillaspie: Mr. Robert Elliot: Mr. Thomas Vassie: Mr. Patrik Sharpe: Mr. John Moncreiff: Mr. John Knox: Mr. John Row: Mr. John Sinclair: Mr. Alexander Livistoun: Mr. Thomas Wilkie: Mr. William Oliphant: Mr. Mungo Law: Mr. Robert Young: Mr. Samuel Austaine: Mr. John Adamson: Mr. John Smith: Mr. Andro Wood: Mr. James Hamiltoun: Mr. John Livistoun: Mr. Robert Knox: Mr. Andro Rind. *ELDERS.*—Lord Angus: Lord Elcho: Niddrie: Whytbank: Mr. Alexander Peirson: Mr. Alexander Colvill: Mr. Robert Burnet: William Browne.

The Commission of the Generall Assembly having heard the report of the Comittee appointed for the Divisive Petitions, and having found that Mr. Edward Wright hath not only subscryved the dangerous and divisive supplications of some brethren of the Presbytery of Lithgow, but also pen[n]ed the same, And considering that he hath been vnder censure formerly

Reference—  
Mr. Edward Wright to the  
Generall Assembly.

for other poynts of Malignancy, Doe therefore refer him to the nixt Generall Assembly.

Reference—  
Mr. Andro Keir  
to the Assembly  
and Mr. Robert  
Keith.

The Commission, having heard the report of the Committee appointed for the Divisive Petitions, and having found Mr. Andro Keir and Mr. Robert Keith to be subscriyvers of the same, Doe refer them to the nixt Generall Assembly.

Reference—  
Mr. Archibald  
Drummond to  
Generall  
Assembly.

The Commission, having heard the report of the Committee appointed for the Divisive Petitions, and having found Mr. Archibald Drummond not only to have subscribed the same, but also to have delt with others to procure hands to it, to have been an active promoter of it, and to have been sent with it to Edinburgh to have presented it, Doe therefore refer him to the nixt Generall Assembly.

References—  
Mr. Robert  
Freebarne to  
the Generell  
Assembly.

The Commission, having heard the report of the Committee appointed for the Divisive Petitions, and having found Mr. Robert Freebarne to have subscriyved the same, but in his confession to have delt ingenuously and to be mad[e] sensible of his offence, as his declaratioun vnder his hand bears, Doe therefore, with this note of difference from the rest, refer him to the nixt Generall Assembly.

Reference—  
Mr. John Bal-  
canquell and  
vthers to the  
Presbyterie of  
Hadingtoun.

The Commission of the Generall Assembly refers Mr. Robert Balcanquell, Mr. William Trent, Mr. Andrew Bahnatyne, Mr. John Courty backe to the Presbyterie for further tryall in the matter of the Divisive Supplicatioun, with power to them to censure accordingly.

Reference—  
Mr. William  
Trent to Pres-  
byterie of  
Hadingtoun.

The Commission refers Mr. William Trent to the Presbyterie of Hadingtoun for tryall and censure, for his silence in the late vnlawfull Engagement.

The nixt meeting at 3 houres.

*Eodem die, post meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. John Livistoun: Mr. George Leslie: Mr. Ephraim Melvell: Mr. Fredrik Carmichell: Mr. John Smith: Mr. William Oliphant: Mr. John Knox: Mr. James Gutterie: Mr. Patrik Gillaspie: Mr. Robert Young: Mr. Robert Elliot: Mr. Robert Knox: Mr. Alexander Livistoun: Mr. John Giffane: Mr. David Auchterlony: Mr. John Sinclair: Mr. Andro Rinnie: Mr. Andro Wood: Mr. James Hamiltoun: Mr. Thomas Wilkie: Mr. James Ker: Mr. John Row: Mr. Mungo Law. ELDERS.—Lord Angus: Lord Elcho: Niddrie: Whytbank: Mr. Alexander Peirson: Mr. Alexander Colvill: Mr. Robert Burnet: Mr. Thomas Murray.

The Commission appoints Messrs. George Lesly, John Livistoun and John Smith, to confer with Capitane David Little vpon his petition, bearing his acknowledgment of accession to the late vnlawfull Engagement, and to report.

Capitane David Little.

The Commission appoints Messrs. James Hamiltoun, Mungo Law, Robert Young, with Mr. Robert Burnet, to goe apart presentlie and re-examine Mr. John Grahame, and receive the defences he now pretends to have, and to report.

Mr. John Grahame.

The Commission appoints the Committee appointed for Major Strachans<sup>1</sup> bussines to meet and prepare an report, and appoints the same Committee to consider the letter from Innernes to give their opinion thereanent.

Major Strachan.

The Commission, having considered the humble petitions of Robert Arnot, some tyme Proveist of Perth, Livetennent Collonell Weemes, Captane John Watsons, Captane Alexander Weemes, Captane Angus M'Intosche, and of Livetennent John Bruce, acknowledging their severall accessions to the late vnlawfull Engagement, and desireing to be admitted to the Covenant and Communion, Doe refer them to the nixt Generall Assembly.

Reference—  
Robert Arnot,  
Livetennent  
Collonell  
Weemes, Cap-  
tane Watsons,  
Captane  
Weemes, Cap-  
tane Angus  
M'Intosche, and  
Livetennent  
Bruce to Gener-  
all Assembly.

The Commission, having heard the report of the Committee appointed for the Divisive Petitions, and having found Mr. Alexander Keith to have subscribed the same, and considering that he is already vnder the sentence of suspensioun for other miscariages relating to the same bussines, Doe in the meantyme continue him vnder that sentence of suspensioun, and refer him to the nixt Generall Assembly.

Reference—  
Mr. Alexander  
Keith to the  
Generall  
Assembly.

The Commission, having heard the report of the Committee appointed for the Divisive Petitions, and having found that Mr. David Drummond hath not only subscribed the same, but hath delt with others, and drawne them vnto that Malignant divisive designe, hath contrived and dispersed articles to be grounds of like Petitions in other Presbyteries, and hath traffiqued in, and promoted the said designe; And considering that he is vnder

Reference—  
Mr. David  
Drummond to  
the Generall  
Assembly.

<sup>1</sup> Probably the same who is joined with Colonel Ker, *Acts Parl. Scot.*, vol. vi. pt. ii. p. 706, and as Lieutenant-Colonel Strachan at pp. 289, 297-8 of same volume, and for whose troopers certain favours were asked because of the special services they had rendered in suppressing the rebellion in the North.

censure for other points of Malignancy, Doe refer him to the next Generall Assembly.

Reference—  
Mr. Thomas  
Inglis to the  
Generall  
Assembly.

The Commission, having heard the report of the Committee appointed for the Divisive Petitions, and having found that Mr. Thomas Inglis hath subscribed the same, and considering that he is vnder censure for other points of Malignancy, Doe therefore refer him to the next Generall Assembly.

Reference—  
Mr. Robert  
Lowrie to the  
Generall  
Assembly.

The Commission, having heard the report of the Committee appointed for the Divisive Petitions, and having found Mr. Robert Lawrie to have drawne the same, vpon some articles given to him, and that he promoted the same, Doe therefore refer him to the next Generall Assembly.

Admonition to  
Mr. Robert  
Lowrie.

This day, the opinion of the Committee being heard and considered concerning some vnseasonable expressions, which Mr. Robert Lowrie vsed in a sermon he had in this toun, vpon Monday the fyft of this instant, The said Mr. Robert was gravely admonished by the Comission for the same.

Recomenda-  
tion—Alex-  
ander Campbell  
to the Parlia-  
ment.

The Commission of the Generall Assemblie Doe humbly recomend the condition of Alexander Campbell of Peninmore to the honourable Estates of Parliament, for supplie of his necessitous condition, and payment of his publick debt, and appoints Messrs. James Hamiltoun, Mungo Law and the Laird of Nidrie to assist his petition at the Parliament in the behalfe aforesaid.<sup>1</sup>

Reference—  
Mr. John  
Grahame to the  
Generall  
Assembly, and  
Suspensioun.

The Commission of the Generall Assembly, having heard the report of the Committee appointed for the Divisive Petitions, and having found Mr. John Grahame hath not only subscribed the same petition of some brethren in the Presbyterie of Auchterardor, but also penned the same, and delt with others, to draw them vpon that Malignant designe, that he received and caried articles about it, and did actively promote the same in publick and private; And considering that he hath been once before censured by the Generall Assembly, and after that de-

<sup>1</sup> He had fitted out a frigate for service on the western coasts and among the isles, and maintained it for nine months, during the troubles in those parts, but, like many others who had incurred debts in the public service, though he got various recommendations in his favour, from the Parliament as well as from the Commission, he failed to get effectual relief from the 'Committee of Monies,' either for these debts, or for the losses he had suffered at the hands of the 'rebels.'—*Acts Parl. Scot.* vol. vi. pt. ii. pp. 419, 597-8, 736.

posed for Malignancy, There<sup>1</sup> opinion is he be suspended from the exercise of his Ministry till the next Generall Assembly, and Refers him to their further censure, and appoints Mr. George Mushet to intimat this suspensioun, vpon the next Sabbath after advertisement, And Mr. John Grahame, personalle present, warned to the Generall Assemblie *apud acta*.

This day a letter produced from my Lord Balmerino, who now is desiring the brethren to the buriall of his worthy father,<sup>2</sup> The Commission doe earnestly therefore requyre, that all the members in toun attend his buriall the morne at Rastalrig, that they may performe that last duty vnto him, who hes been so worthy and faithfull an instrument in this Kirk.

The next meeting the morne at 10 houres, and the Committee to meet at the third bell.

*Edinburgh, 9 Martij 1649, ante meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. John Livistoun : Mr. James Hamiltoun : Mr. George Lesly : Mr. Robert Elliot : Mr. John Knox : Mr. Fredrick Carmichell : Mr. James Gutterie : Mr. John Smith : Mr. Mungo Law : Mr. Robert Young : Mr. Ephraim Melvill : Mr. Andro Wood : Mr. Robert Knox : Mr. William Row. ELDERS.—Lord Angus : Nidrie : Rickartoun : Whytbank : Mr. Alexander Peirson : Mr. Alexander Colvill : Mr. Robert Burnet.

Concerning the bussines of Alexander Maxwell of Dechmond, It is the advice of the Comission of the Generall Assembly, after serious consideratioun thereof, that the Presbyterie of Lythgow, vpon his repentance, admitt him with all diligence to the Covenant.

It is the advise of the Comission of the Generall Assembly, that the Presbytery of Jedburgh nominat the Elders of the Session of Jedburgh for this yeir, after exact consideratioun of the persons they finde fittest, And, for all the differences betuixt Mr. William Jamesone and Mr. John Scott and the Laird of Edzairstoun, and what hes followed therevpon, That all these differences be buried, and that the Presbyterie admitt Edzairstoun to the Covenant.

The Committee to meet at five hours, and the Comission vpon the 12th of this moneth in the afternoone.

<sup>1</sup> *Sic* in MS. for *their*.

<sup>2</sup> He had suffered in the cause in 1634-5, and stood by it in 1638.



*Edinburgh, 12 Martij 1649, post meridiem.*

*Sederunt* :—**MINISTERS**.—Mr. Robert Douglas, *Moderator*. Mr. James Gutterie : Mr. John Livistoun : Mr. Samuel Austaine : Mr. John Row : Mr. John Adamson : Mr. Robert Baillie : Mr. John Giffan : Mr. John Smith : Mr. Fredrik Carmichael : Mr. James Hamiltoun : Mr. Patrik Fleeming : Mr. Robert Young : Mr. William Row : Mr. George Leslie : Mr. Mungo Law. **ELDERS**.—Lord Craighall : Whytbank : Mr. Alexander Peirson : Mr. Alexander Colvill : Mr. Robert Burnet : Mr. Thomas Murray : Mr. William Browne.

Thanksgiving  
to the Parlia-  
ment.

The Comission, vnderstanding that the Parliament desires a thanksgiving sermon to be given them at their dissolving, Doe therefore appoint Mr. John Livistoun [and] Mr. James Gutterie for that employment, and in cace of the continuance of Mr. James Gutterie[s] indispositioun of health, appoints Mr. Robert Baillie to supplie his place.

Earle Cassilles  
and Mr. James  
Wood joyned in  
Commission to  
the King.

The Commission thinks it very fitting that the Earle of Cassills, who is now sent from the Parliament with vthers to the King, may be joyned to these sent from this Comission, and siclyk adds Mr. James Wood, and appoints a Comission to be made for that effect.

Commission to  
those sent by  
the Kirk to the  
King.

The Commission of the Generall Assembly Doe hereby authorize Mr. Robert Blair, Minister at St. Andrewes, Mr. Robert Baillie, Professor of Divinitie in the Universitie of Glasgow, Mr. James Wood, Professor of Divinitie in the Universitie of St. Andrewes, Ministers; and John Earle of Cassills, and Mr. George Winrahame of Libbertoun, Elders, with their full power to repair to the Kings Majesty, and present vnto him their humble desires That he may subscribe the Nationall Covenant, and the League and Covenant, and injoyne the same, and that he may advance the worke of Vniformity, and establish Presbyteriall Government, Directory of Worship, and Confession of Faith in all his Majesties Dominions, And to deale with his Majestie to satisfie the desires of his subjects for setling Religion and peace in his Kingdoms, and to do everything for that effect, according to the Instructions given to them thereanent.

Exception  
against Mr.  
William Colvills  
witnesses  
repelled.

This day Mr. William Colvill present, and Mess<sup>rs</sup> Andro Fairfoull and Robert Lawrie, witnesses cited against him, the said Mr. William alledged that the said persons cannot be admitted witnesses against him, they being *correi* and sum-

moned to answer for on and the same thing in on sumonds ; The Commission after serious consideratioun repells the said exception.

The Commission of the Generall Assembly continues the mater concerning the tryall of Mr. William Colvills accession to the Divisive Supplicatioun, to the nixt quarterly meeting, and appoints Mr. Andro Ramsay, in the Presbyterie of Edinburgh, Mr. David Drumond, in the Presbyterie of Lythgow, and Mess<sup>rs</sup> Robert Balcanquall, Andrew Bannatyne, William Trent, and John Courtney, in the Presbyterie of Hadingtoun, to be cited to compeir before the Comission of Assembly the penult of Maij nixt, to bear witnes in so far as they know and shall be speared at them concerning the said Mr. William his accession to the said matter.

Mr. William  
Colvill.

The Comission of Assembly refers Mr. Andro Fairfoull to the Presbyterie of Edinburgh, to see what further light they can get concerning his accession to the Divisive Supplicatioun.

Reference—  
Mr. Andrew  
Fairfole.

The nixt meeting the morne at 10 houres.

*Edinburgh, 13 Martij 1649, ante meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. John Adamson : Mr. James Gutterie : Mr. Mungo Law : Mr. Fredrik Carmichael : Mr. John Smith : Mr. John Livistoun : Mr. James Hamilton : Mr. William Row : Mr. John Knox : Mr. Robert Young : Mr. Patrik Fleeming : Mr. John Row. ELDERS.—

This day Livetennant Collonell Andro Ker having presentit the petition following :—

*'To the Right Reverend the Moderator and remanent brethren of the Comission of the Generall Assembly Livetennant Collonell Andro Ker humbly sheweth—*

Petition of  
Livetennant  
Collonell  
Andro Ker.

'That seing it hath pleased the power of All reuleing Providence (permitting my fall) to give way vnto the perverse naughtines of my owne corrupt nature, quherby suffering myself to be led away with too many outward and worldly respects, neglecting the sufficient examinatioun of the true grounds, I was induced to ingage in that miserable and sinfull war against England ; And now, by the mercie of the Lord, having seen the sinfulness of these vndertakings, whereby so

much hazard is brought to Religion, dishonour to our Nation and Profession, and offence to the faithfull servants of God, whose seasonable warnings wer waved by us, and <sup>1</sup> given to the triking fancies of our owne idle imaginatiouns, I am necessitat with grieve of heart to acknowledge the head-strong illegallitie and sinfulness of these our courses, and especiallie in our associatioun with these the knowne enemies of Christs cause and Covenant, directly contrare to the principles and articles of the said sacred .<sup>2</sup> Wherefore now, moved by no externall nor worldly means quhatsoever, (God knows), but merely out of an earnest desire to glorifie God by my confession, to witness my vnfained hatered of such courses, to satisfie these good men whom justlie my miscariage hes offended, and for the quyet of my owne conscience, I have presented your godly wisdoms with this my vnfained acknowledgement; In all humilitie and earnestnes intreating that, as heretofore I have been knowne never to aime nor act the leist in prejudice of that sacred band, bot on the contrare, so now I may have the honour of the happie character of these who hes resolved in these tymes of tryall to hazard all for the cause of Christ and His Covenant; And to this effect that it might please your godly wisdoms to receive me into the Covenant, readmitt me to the Sacrament; And for the glory of God, satisfaction of His Church, and taking away of the publick scandall of that foule defection, whatsoever shall please your godly wisdoms to injoyne me shall be most cheirfully obeyed, according to your direction and ordinance; And your godly wisdoms answer humbly I expect,

*Subscribitur,* A. KERR.'

Recomendation  
Livetennant  
Collonell Ker  
to the Generall  
Assemblee.

The Commission having considered the said petition and heard the said Livetennant Collonell Andro Ker, Finds they cannot prescribe his satisfaction, notwithstanding his earnest desire of the same, in respect of the late Act remitting the satisfaction of such offenders to the Generall Assembly, but are heartily glad of the sense of his guiltines, and will present the same and his offer to the Generall Assembly.

The next meeting at 3 hourea.

<sup>1</sup> Blank in MS.

<sup>2</sup> Blank in MS., perhaps *band*.

*Eodem die, post meridiem.*

*Sederunt* :—**MINISTERS**.—Mr. Robert Douglas, *Moderator*. Mr. John Livistoun : Mr. James Hamiltoun : Mr. John Row : Mr. James Gutterie : Mr. John Smith : Mr. Fredrik Carmichaell : Mr. Mungo Law : Mr. Patrik Fleeming : Mr. George Leslie : Mr. John Adamson : Mr. Robert Young : Mr. William Row : Mr. John Knox. **ELDERS**.—Whytbank : Mr. Alexander Peirsone : Mr. Alexander Colvill : Mr. Robert Burnet : Mr. Thomas Murray : William Browne : William Russell.

The Commission of the Assembly, finding a necessity that some Ministers be appointed to attend Livetennent Generall David Leslie and the forces with him now in the North, Doe therefore nominat and appoint Mr. Robert Keith and Mr. John Young to repair to him for performing Ministeriall dueties to him and the forces with him, and that letters be written for this effect.

Ministers to the Generall Lieutennant.

Concerning the petitions of Captaine John George, Livetennent John Home, and Livetennent James Sympsone, bearing their sense of their offence for their accession to the late vnlawfull Engagement, and offer of satisfaction, The Comission refers them to the nixt Generall Assembly.

Reference—some officers in the Engagement.

Concerning the matter of Livetennent Collonell Hew Montgomery, wherein the Presbyterie of Air craves advice, The Comission of Assembly, after hearing of the said Leivtenant Colonell, having considered the whole bussines, Doe not find any reason why his subscription of the League and Covenant should be delet, and therefore Doe advise the said Presbyterie to accept thereof, and that the samen stand, and that he be esteemed as on admitted to the Covenant.

Act in favours of Livetennent Collonell Montgomery.

Concerning Major Strachan, the Commission Resolves the morne to consider the report of the Comittee, and finds that the paper given in by Major Strachan, being subscribed according to the amendements of the Comittee, will be verie satisfactorie and sufficient for removing the scandalls lying vpon him, and therefore appoints him to subscribe that paper, and to be hear tomorrow.

Major Strachan.

The nixt meeting the morne at 8 houres.

*Edinburgh, 14 Martij 1649, ante meridiem.*

*Sederunt* :—**MINISTERS**.—Mr. Robert Douglas, *Moderator*. Mr. John Row : Mr. Fredrik Carmichell : Mr. John Adamson : Mr. Robert Young :

Mr. John Knox : Mr. James Guttery : Mr. Mungo Law : Mr. John Smith : Mr. George Leslie : Mr. William Row : Mr. Patrik Fleeming : Mr. John Livistoun : Mr. James Hamiltoun : Mr. Robert Traill. **ELDERS.** — Lord Angus : Whytbank : Mr. Alexander Pearson : Mr. Alexander Colvill : Mr. Robert Burnet : Mr. Thomas Murray : William Browne.

Act for Mr. James Fergusones settling in Edinburgh.

This day, some of the Baillies of Edinburgh haveing earnestlie desired, that a day might be appointed for Mr. James Fergusones removeing from Kilwining to setle in this toune, conforme to the Act of transportatioun formerly granted, The Commission of Assembly having seriously considered the said desire, and knowing the present necessity the towne of Edinburgh hath of moe Ministers, and the burden their present Ministers doe now sustaine, Doe therefore appoint the said Mr. James to remove from Kilwining and setle himselfe here in Edinburgh, for performing the duties of the Ministry there, betuixt and the last Wednesday of the moneth of Maij nixt ensuing, without more delay.

Major Strachan.

This day the Comission, having considered the particulars concerning Major Strachan, and finding no thing proven against him, and being satisfied with his answers, but specially with the last paper subscribed with his hand, Doe therefore judge that he should be admitted to the subscribing of the League and Covenant; Lykeas the said Major Strachan, personallie present, judiciallie subscribed the League and Covenant.

Leivtenent Scott to be cited.

The Commission appoints Leivetenent Scott to be cited to the nixt quarterly meeting, to answer to the scandall lying vpon him, that he mantained a debate at Mussilburgh that a chyld of God should not pray for the pardon of sin ; As also that he should have said, They wer no good Cristians that loved not Independency ; And if he be in thir parts of the countrey, that he be cited to the first meeting that shall occur.

The Commission continues to consider what is necessarie to do for wryting the history of these tymes, and whom to employ therein, to the nixt quarterlie meeting.

Report concerning the Overtures and Desires moved to the Parliament.

This day report made by the Clerk concerning the Overtures and Desires made to the Parliament, That the Acts against Witches and Consulters,<sup>1</sup> against fornication,<sup>1</sup> against remissions

<sup>1</sup> *Acts of Parliaments of Scotland*, vol. vi. pt. ii. p. 152.

for capital crimes,<sup>1</sup> against swearing, drukennes, scolding, and other prophannes,<sup>2</sup> against clandestine mariages,<sup>3</sup> scandalous persons,<sup>4</sup> goeing of mylnes, salt pans, and fishing on the Sabbath day,<sup>5</sup> and against patronages,<sup>6</sup> and the Acts for ratifyeing the Catechisme and Confession of Faith,<sup>7</sup> concerning the degrees of casuall homicide,<sup>8</sup> concerning the reducing the conversions of victuall in money, in hospitalls, and other dotations to the old foundatiouns,<sup>9</sup> and for augmentatioun of Ministers stipends, their gleibs and manses,<sup>10</sup> wer all past in Parliament; And that the Comission for plantation of Kirks is to be renewed to some well affected persons;<sup>10</sup> And for the Acts concerning adulterie and incest, they are continued vntill the nixt session of Parliament.

The Quere from the Presbyterie of Dumbar concerning Sir James Nicolson being this day considered, It is the advise of the Comission of the Generall Assembly, that the said Sir James have the benefitt of the Explanatioun of the Act concerning the admitting persons to the renewing of the Covenant, and that he be accordingly admitted to the renewing, swearing, and subscribing thereof.

Sir James  
Nicolson.

The nixt meeting is to be vpon advertisement from the Moderator.

*Edinburgh, 10 Maij 1649, post meridiem.*

*Sederunt: MINISTERS.*—Mr. Robert Douglas, *Moderator*. Mr. John Weir: Mr. Robert Ker: Mr. George Hutcheson: Mr. George Leslie: Mr. John Moncreife: Mr. Robert Traill: Mr. Kenneth Logie: Mr. James Hamiltoun: Mr. James Nasmith: Mr. John Knox: Mr. John Maghie: Mr. John Smith: Mr. William Penman: Mr. William Row: Mr. Patrik Gillaspie. *ELDERS.*—Sir John Cheislie: John Boswell: William Browne.

<sup>1</sup> *Acts of Parliaments of Scotland*, vol. vi. pt. ii. p. 173.

<sup>2</sup> *Ibid.* p. 174.

<sup>3</sup> *Ibid.* p. 184.

<sup>4</sup> *Ibid.* p. 185.

<sup>5</sup> *Ibid.* p. 261.

<sup>6</sup> *Ibid.* p. 161.

<sup>7</sup> *Ibid.* p. 173.

<sup>8</sup> *Ibid.* p. 183.

<sup>9</sup> *Ibid.* p. 287, augmenting stipends generally to 8 chalders victual, or 3 chalders in victual and the equivalent of 5 chalders in money; providing for the erection of manses in town as well as in country parishes wherever they were still wanting, the exchanging of glebes, when distant from the manse, for others more convenient, and the designation of grass glebes.

<sup>10</sup> *Ibid.* p. 300. There were also passed in the same session of Parliament: Act anent securing of religion and peace of the kingdom, p. 161; Act against the horrible crime of blasphemy; Act against worshippers of false gods, p. 231; Act against beaters and cursers of their parents, p. 231.

The brethren, being conveyen here vpon a letter from the Moderator to consider what is incumbent to them to doe in relation to the outbreaking in the North, Therefore thinke fitt that there be a Comittee to consult and prepare the bussines, and to that effect appoints Messrs. John Moncreiff, Robert Ker, John Smith, James Hamiltoun, George Leslie, David Dickson, Patrik Gillaspie, James Nasmith, John Maghie, George Hutchesone, Sir John Cheislie, William Browne, John Boiswall; This Comittee to meet presently after dissolving.

The nixt meeting the morne after sermon.

*Edinburgh, 11 Maij 1649, ante meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. James Hamiltoun: Mr. Robert Traill: Mr. Robert Ker: Mr. George Hutcheson: Mr. John Livistoun: Mr. Alexander Dickson: Mr. John Moncreiff: Mr. Andro Wood: Mr. John Smith: Mr. John Weir: Mr. David Dickson: Mr. James Nasmith: Mr. George Leslie: Mr. Kenneth Logie: Mr. John Knox: Mr. William Row: Mr. John Sinclair: Mr. John Maghie: Mr. Patrik Gillaspie: Mr. William Penman: Mr. James Gutterie: Mr. Ephraim Melvill. *ELDERS*.—Lord Wariestoun: Sir John Cheislie: Dudistoun: Mr. Robert Burnet: William Browne: John Boiswall.

This day a letter produced by the Moderator from our Comissioners at the Hage, together with his Majesties letter, and the papers given to his Majestie, and his answers therevnto, which were all read, The tenor quherof followes:—

Letter from  
Commissioners  
at the Hague.

‘REVEREND AND BELOVED BRETHREN,—This is the first opportunity we have had of making to yow any accompt of our proceedings. On the Thursday at night, March 22, the Lord brought us all safe to Rotterdame. On the Fryday we went to Delph, where we though[t] meet to rest till the Munday, both because of our owne resolution to keepe on day of humiliatioun in our family for making our first addresses to God, as also because of our informatioun by some of our friends who mett ws at the Delph, that his Majestie would be taken vp with his Easter devotions till Tuesday following. We therefore on the Sabbath day did preach and pray in our family, and found the goodnes of the Lord with ws; and on the Munday did put our papers and affaires in order. At night we came to the Hage, and spoke with some friends, who are not many here. On the Tuesday 27th, in the afternoone, we went to the Court, and had a favourable acception. My Lord Cassills did

speake to his Majestie in name of the Parliament and Kingdome, and Mr. Robert Baillie in name of the Church. So far as we could learne, what was spoken was taken in good part by all who heard. We then delivered our letters to his Majestie. The rest of that day and the following was spent in visiting the Queen of Bohem, the Princess Royall, the Prince of Orange, the Princesse Douager, and the States Generall. The Comissioners of Parliament found it necessarie to give in, as prævious to their Desires, a paper for removeall of James Grahame from Court. His Majesties answer, vnder his owne hand, was that he desired and expected all our Propositions togidder, to which he hoped to give a satisfactory answer. With this we wer not content, but pressed again our desire, the Comissioners of Parliament by another paper, and we also by on to second theirs, a copy whereof we send yow herewith. The Kings second answer was an abiding in the first. We had all of ws some discourse with his Majestie about the equity and necessity of that our desire. But James Grahame hes so many and so powerfull friends in the English Counsel [*i.e.* Council], that as yet we cannot get the King to discountenance him. On the Saturday morneing we delivered to his Majestie the Nationall Covenant, the Solemne League and Covenant, the Directory, the Confession of Faith, the Cathecise, and Propositions of Government, bound together in on book so handsomely as we could get them. We spoke some thing on the matter, and desired of his Majestie more frequent and private conferences, who shew his willingnes, and promised to send to ws to advertise of his fittest opportunityes. On the Sunday we preached in our owne house. We thought not meet to goe to the English Congregatioun, their distractions among themselves for the present being so great, that our goeing there, we conceive, would have given offence and prejudged our affaires. On Munday we purposed to have given in our maine Desires in the paper which herewith also we send. But his Majestie was abroad in the afternoon, so we delayed till this day. We cannot yet make any judgement of the successe. The most part of the Counsell are averse from our Desires; yet we have our owne friends. His Majestie is of a very sweet and courteous disposition. It wer all the pities in the world bot he wer in good company. We hope he is not so far rooted in any principles contrary to ws bot that, by Gods blessing on our friends labours, he may be gotten to doe ws reason, quhatsoever our fears be for the present. There is a very evill generation both of English and Scotts here, who vomite



out all their evill humour against all our proceedings. The peace of France<sup>1</sup> and our vnhappy book *Εἰκὼν Βασιλική*<sup>2</sup> does ws much prejudice; also the supposed death of Huntly<sup>3</sup> is wrestled<sup>4</sup> to our disadvantage. Doctor Bramble<sup>5</sup> of Derry hes printed the other day at Delph a wicked pamphlet against our Church. We have no time, nor doe we thinke it fitt, to print answers, but by the grace of God shall endeavour with all faithfulness and diligence to goe about our Instructions. Wee had much need of your prayers. The grace of the Lord Jesus be with yow, and protect that Church and Kingdom from all the mischiefs, that the instruments of Satan on all hands are preparing to bring vpon ws. But our hope is in the name of the Lord, to whose protection we comitt yow, and rests,

Your Brethren and Servants in the Lord,

*Subscribitur,*

Hague, Aprile 3,  
1649.

CASSILLS,

GEO. WINNAME,

ROBERT BAILLIE,

JAMES WOOD.'

'Direct: *For the Right honourable and Reverend The Commissioners of the Generall Assemblie.*'

The King's  
letter.

'CHARLES R.—Trusty and well beloved, We greet yow well. The reasonable Testimony yow have given ws (by your letter the 7th of the last moneth) of your abhorring the vnparalleled proceedings of the Sectaries against the person and life of our Royall Father moveth ws, as to returne yow thanks for the same, so to expect from yow a further pursuance of your dueties, by endeavouring in your places and stations to enable ws to bring to justice the bloody authors and their adherents of this execrable parricide, whose impious and blasphemous tenents, in sacred and holy things, wounds as deeply the Majestie of God in His Divine truths, as they have done Monarchie in the person of our Royall Father, and in their endeavouring to exclude ws from our just rights and succession to the Crownes

<sup>1</sup> The Peace of Westphalia.

<sup>2</sup> *Εἰκὼν Βασιλική*, or *The Portraicture of his most Sacred Majesty*, attributed to Charles I., but said to have been really written by Dr. Gauden.

<sup>3</sup> Huntly was beheaded in Edinburgh on 22nd March for the bloodshed occasioned by him in his various risings in the North.

<sup>4</sup> *Wrestled* should be *wrested*.

<sup>5</sup> Bramhall, Bishop of Derry, and after 1660 Archbishop of Armagh. The tract referred to is the treatise entitled *A Fair Warning to take heed of the Scottish Discipline*. Baillie seems soon to have changed his mind about it, for a 'Review' of the *Fair Warning* was published also at Delf in 1649 by R.B.G.

and Government of our Kingdomes. And seing it hath pleased God to call Ws to so great a charge, Our trust shall be in Him that He will enable and fitt ws for it, and so direct ws in these present confusions, as we may doe His will in all things. At this tyme we shall not discend to anie particulars, expecting that, with the Comissioners who are to come to ws from Scotland, yow will employ some of your number fully authorized both to give and receive satisfaction, in such particulars as may fall vnder consideratioun. And we are confident that (by Gods assistance) all differences may be happily removed, and the foundations laid of a religious and lasting peace, to which we shall contribute all that can be reasonably expected from ws. Wee bid yow very heartily farewell.

‘From the Haghe in Holland the                      day of Merch.’

‘Direct:—*For our trustie and welbeloved the Moderator and others members of the Comission of the Generall Assembly of the Kirk of our Kingdome of Scotland.*

‘30 March /9 Aprile 1649.’

‘MAY IT PLEASE YOUR MAJESTIE,—According to our Comis-  
sion, we doe represent in name of the Kirk of Scotland their  
earnest desire that such as lye vnder their censure of Excom-  
municatioun may be discountenanced by your Majestie and  
removed from your Court, especiallie James Grahame, late  
Earle of Montrose, being a man most justly, if ever any, cast  
out of the Church of God. It hath been the custome of  
Christian Princes, in all places and times, to mantaine so far  
the discipline of all Churches, which themselves did protect by  
their lawes, as (according to the order of Christ) to decline the  
familiar conversing with everie on, whom the highest censure  
of Excommunicatioun made as Ethniks and Publicans. Your  
Majesties walking in any other way would be contrare to the  
rules of Scripture, to the practise of these Princes whose  
gracious examples will be your Majesties most wholesome  
paterns, and would certainly give a great stroake to all the  
discipline of the Kirk of Scotland, which your Majesties Royall  
Grandfather by many of his lawes, and your Royall Father in  
his Parliament of Scotland 1640, hath expressly ratified; and

Paper given to  
his Majestie.

we trust your Majestie will never intend to alter ; least of all at this tyme in the hopefull begining of your raigne, for gratifying of a person, vpon whose head lyes more innocent blood than for manie yeares hes done on the head of any on, the most bloody murtherer in our Nation. Wee hope for so much mercie from our God, that His gracious Spirit shall incline your Majesties heart to give ws just satisfaction in all our necessarie Desires, that the cordiall vnion of your Majestie with your people, so much longed for on all hands, may with all speed be fully accomplished ; and that this cursed man, (whose scandalous cariage, pernicious counsel, and contagious company cannot fail, so long as he remains in his obstinate impenitency, to dishonour, pollute all companies, and provocke the anger of the Most High God against all places of his familiar accesse,) shall not be permitted by your Majestie to stand any longer in the entrie of our hopes, to our great discouragement and fear, leist by his guilt, example, and acting, all the humble desires and wholesome counsells which we are entrusted with should be obstructed and frustrate.

*Subscibitur,*

CASSILLS,

GEO. WINRAHAME,

ROBERT BAILLIE,

JAMES WOOD.'

Another paper  
given to his  
Majestie.

'MAY IT PLEASE YOUR MAJESTIE,—Wee, the Comissioners of the Church of Scotland, hoping for an answere satisfactory in reason to our first paper, according to your Majesties gracious promise, doe goe on, according to our Comission, to signify in the name of that Church that, after their hearty prayer to God for His blissing on your Royall Person and Government, It is their most earnest desire that it may be your Majesties pleasure to give them assurance, vnder your hand and seale, of your approbatioun of the Nationall Covenant of Scotland, subscribed by your Royall Grandfather, approven and enjoyned by your Royall Father in the Parliament of Scotland 1640, and of the Solemne League and Covenant, which now for diverse yeires the Parliaments and Generall Assemblies of Scotland, the tuo Houses of the Parliament of England, and the Assembly of Divines at Westminster, efter long and serious deliberatioun, have vnanimously found to be the best and necessary meanes of

setling Religion, of establishing the Throne, and bring[ing] back prosperity to your Majestie, and all your three now lamentably distressed Kingdoms; Also of the Directory of Worship, Confession of Faith, Catechisme, and Presbyteriall Government of the Church, agreed vpon, according to the Word of God, by the Assembly of Divines at Westminster, and the Generall Assemblies of the Church of Scotland, the coppies of all which we did the vther day deliver to your Majestie; Lykewayes that your Majestie wold be pleased to subscribe the Nationall Covenant, with the Solemne League and Covenant, and give your Royall assent to such Acts of the Parliament of Scotland as shall be offered to your Majestie, for the establishing and injoyning of the præmisses in Scotland, and to such Acts of Parliament as shall be offered by the tuo Houses of the Parliament of England, for establishing and enjoying the same in England and Ireland; And in the meanetyme that your Majesty wold be pleased to lay aside the vse of the Service Book, and conforme the worship of God in your Royall family to the Directory. We are fully persuaded that your Majesties cordiall joyning with your loveing subjects, in these meanes of advanceing the honour of God and true Religion, shall procure from heaven the Lords powerfull assistance, to bring your Majesty and your people out of the great tribulationous and dangers, wherein both for the present are plunged. Wee are also confident, that your Majesties granting of these most humble and earnest desires shall be a chiefe and effectuall meanes to knit to your Majesty in all duty the hearts of all your good subjects, not in Scotland alone, bot everie where also, and shall losse to your Majesties service non at all, who either loves the truth of God, or mynds your Majesties happines abone their owne particular vnjust interests.

*Subscribitur,*

April 1649.

CASSILLS,  
LIBERTOUN,

ROBERT BAILLIE,  
JAMES WOOD.'

\* CHARLES R.—I desire, for the reasons mentioned in my former papers, to know whether the last papers I received from <sup>His Majesties answer,</sup> yow containe the full Demands and Propositions yow or any of yow have to make, with reference to Church or State, and if

not, that then yow deliver what remaines, that I may consider of the whole, and proceed accordingly.

‘*Aprile 16th, 1649. New stile.*’

‘Vnto the paper delivered vnto ws by your Majestie this day, we doe make this humble returne, that the last your Majestie received from ws, the Comissioners of the Church of Scotland, doth containe the substance of all we have to demand of your Majestie, the grant whereof will make any other humble advice we are to propone most easie. What the Comissioners of Parliament have to deliver in reference to the State, we leave it whollie to themselves, they being in a Commission and capacity altogether distinct from that which we have from the Church alone.’<sup>1</sup>

‘*Aprile 17, 1649.*’

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<sup>1</sup> They, however, add in their Report to the General Assembly after their return to Scotland: ‘In the meanwhile we were not idle, but went about our instructions, both by conferences with his Majesty, and by frequent dealing with divers persons of quality, whom we conceived to have ability, or any opportunity to promote with his Majesty the grant of our desires; Also by answering, sometimes even in print, a multitude of calumnies wherewith our malignant enemies, with much artifice and malice, did labour to poison the eares of his Majesty and all about him against our Church and Kingdome.’ The whole correspondence which passed between the King and the Commissioners of the Church, as well as that which passed between him and the Commissioners of the Parliament, was published in 4to form under the title—*The Proceedings of the Commissioners of the Church and Kingdom of Scotland with his Majestie at the Hague, and the Papers interchanged betwixt his Majestie and them, as they were Reported in Parliament and the General Assembly.* Edinburgh: Evan Tyler, 1649.’ The proceedings of the Commissioners, though unsuccessful, were approved by the Parliament and the General Assembly respectively. The proceedings of the Commissioners of Parliament were inserted in the *Acts of the Parliaments of Scotland*, vol. vi. pt. ii. pp. 727-732. Those of the Commissioners of the Church were not inserted among the printed Acts of the Assembly of 1649, but they are given at length in the 4to print above referred to, and (including those subsequent to April 17th, not inserted in the Minutes of Commission) are reprinted in the appendix to Baillie’s *Letters*, vol. iii. pp. 511-521. It is there intimated that though Spanheim lived to receive the letter sent him by the Commission, he did not live to answer it, and that Rivet had not been pressed by them, in his extreme old age, to make the journey from Breda to the Hague, but had accompanied them with his prayers and good wishes, as he had signified in his letter to Baillie, and as they believed he had done in that he had sent to the Assembly. This letter, however, has not been inserted in the Records of the Assembly.

The Commission appoints Messrs. Andro Donaldson, Robert Bennet, with Messrs. Thomas Lawder and Robert Campbell, to repair vnto the Armies for discharginge the Ministeriall function there, and to be ready to goe presently, and to continue there till the Generall Assemblie choose and send others in their place: the first two are to preach to the troupes, and the other two to the fute companies.

Ministers to  
the Armie.

This day the answer from Pluscartie and others in the rebellion in the North produced and read; Tenor quherof follows:—

‘HONOURABLE AND RIGHT REVEREND,—Wee have lately received yours of the first of Merch 1649, for the which and your wisdomes Christian care of ws, and your fatherly admonition to ws, we humbly and heartily rander yow all possible thanks. And quheras your wisdomes taks it a matter of no lesse wonder then greife that we, being vnder the oath of God and tye of our Nationall Covenant, would make insurrection and take armes against the Lords people, certainly, if it were so, we acknowledge your wisdomes had reason to wonder and to be grieved. And it is no lesse winder and grieife to ws, being vnder the said oath and tye of Covenant, furthering the same with all our power and meanes, and at all occasions, desireing nothing els then the enjoying of the liberty of the subject, and proprietie of our goods, intended and promised in and by our Covenant. Yet we find, that evill willers and envious vnderminers, in a singular and prætextuous way aiming at our ruine, doe spend the quintessence of their witts to finde out means whereby, vnder specious pretences of the publick, to exterminate ws with povertie, and by inventing fresh occasions to make ws odious, and bring ws vpon fresh stages vnder the base name of Malignancy. As for the atrocitie of our actions, God forbid we should be fund such men as either impeded the securing of Religion, or hinder a right vnderstanding between the King and his people. We never meant nor intended any such, but rather shall thinke it our greatest happines to be contributers to both. What we have done at this tyme was [not?] intended against authority of Parliament; Neither did we oppresse or wrong any man by robing, plunder-

Letter from  
Pluscardie and  
others.

ing, or quartering. But the whole countrey of all degrees, being sensible of the oppression and insolency of the vnnescessary and vnprofitable garison of Innesnes to Church or State, did heartily and vnanimously contribute to the demolishing thereof, which being done, all disbanded peaceable, and the people retired peaceable to their owne homes, without offence to any nighbour of any degree or condition. Vnder favour, we admire of the wisdome, that, for the private of thrie men, wages was given for the oppressing of thrie whole shires; and now, when the said garison is dismantled, we shall be found not only disposed to live peaceable, bot also ready to obey all publick ordours for the good of the Kingdome. With all we present vnto your wisdomes, that we wer singularie burthened with severall taxes and impositions, vnder the name of engagers, seconded by extraordinary quarterings for criminalls, whereby the people wer brought rather to despare then anie affection to cause in hand, while as severall nighbours, more active in the Engagement as we wer, passed free, and for their releife, a double portion still layed on our necks, as if, by meanes of our Covenant, we were rather randred slaves as free subjects. Wherefore, as we are willing, according to your wisdomes desire and admonition, to desist and live as peaceable subjects, according to our oath and Covenant, we humbly and earnestly intreat your wisdomes in the bowells of Jesus, and as His servants and our instructers, that you interpone with these in authority, that we enjoy the benefitt of our Covenant in the peace of comon subjects, the which shall the more still oblige ws to approve ourselves, at all occasions, hearty and faithfull contributors to the securing of Religion, according to our oath and Covenant, and the solide peace of this our native Kingdom; which, as we hope, so we humbly intreat, may be satisfactory to their<sup>1</sup> wisdomes, and may justly procure a desisting of any further proceedings against ws. But if (as God forbid), our evill willers, by their suggestion, be so prevalent as to worke a believe in their<sup>1</sup> wisdomes hearts, that we are not thus mynded, and thereby persuade your wisdomes to proceed to our further disgrace and prejudice, in that cace, by these we appeale, from

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<sup>1</sup> *Sic* in MS. for *your*.

your further proceeding, and sentence of Excommunicatioun, to the nixt Generall Assembly, before whom, for our owne just vindicatioun, we intend to compear, and for whose honour, priviledge, and safety wee shall ever stand to the hazard of our lives and fortouns, according to our Covenant, in the which disposition we remaine,

Your very true friends and servants,

*Subscibitur,*

Sir A. MACKENZIE of Pluscarden,

R. M'KEINZIE of Reidcastell,

KENNETH MACKENZIE, R. M'KENZIE of Dawchin-alnash.

MACHGILLICHAUM of

Raasay.

J. MACKENZIE.'

'Direct:—*For the right reverend Mr. Robert Douglas, Moderator of the Generall Assembly.*'

The nixt meeting at three houres.

*Eodem die, post meridiem.*

*Sederunt:—MINISTERS.*—Mr. Robert Douglas, *Moderator.* Mr. George Hutcheson: Mr. James Nasmith: Mr. Ephraim Melvill: Mr. William Penman: Mr. John Sinclare: Mr. John Livistoun: Mr. John Muncreiff: Mr. James Hamiltoun: Mr. James Gutterie: Mr. Patrik Gillaspie: Mr. George Leslie: Mr. John Knox: Mr. Kenneth Logie: Mr. William Row: Mr. Andro Wood: Mr. Alexander Dickson: Mr. Robert Traill: *ELDERS.*—Sir John Cheislie: Mr. Robert Burnet: William Browne.

The Report of the Comittee being heard, the Comission resolve to present a petition to the Comittee of States, and to emit a Declaratioun and Warning to the people, Tenor quherof followes:—

*'Vnto the Right Honourable the Committee of Estates the Comission of the Generall Assembly Humbly sheweth,—*

'That whereas we have been desired by your Lordships to wrytte to Presbyteries for furthering of the levies, and are about to emitt a Declaratioun, thereby to incite the people to their duety in that and other things, for strenghtning your Lordships hands in managing the public affaires of this Kingdome, May it therefore please your Lordships, for the better

Petition to the  
Comittee of  
Estates.



enabling ws vpon solide grounds to exhort the people to their duty, and particularly for bearing the necessarie burthens of the Kingdoms, and adhearing to the cause of God and your Lordships Government, and for procureing more ready, chearfull, and effectuall obedience among the people to all your Lordships just commands—1. To walk very tenderly, according to your Lordships former Resolutions, in purging and keeping pure the forces employed in the cause of God, that it be not found, that this cause is againe entrusted to prophane, dissolute, and disaffected Instruments, least your Lordships repent too late of slyghting the warnings before given to your Lordships in this matter. 2. That your Lordships diligently take heed in all your proceedings to give evidence, that yow are led by an impartiall and publik spirit, that disaffected men, who wait for your halting, get no occasioun to steale away the peoples hearts from the present Government. 3. That your Lordships would be pleased to take such exact notice, and narrow inspectioun of the executioun of publik orders, concerning the levies and other comon burthens, that there be no injustice, partiality and oppression, especially of the poore and faithfull of the land, hide from your Lordships knowledge, nor vnredressed, when made knowne to yow; And to this effect that your Lordships, in your wisdom, would thinke vpon the fittest wayes of encouraging people of all sorts to make knowne your<sup>1</sup> grievances, timeously and in an orderlie way, to your Lordships, that the poore and oppressed in the land, and all others, may be sensible of your Lordships mynding their condition, and may neither be out of hope to have their wrongs remedied, nor layed open to the tentatioun of a discontented humor, with the disaffected partie, to their advantage, and to the prejudice of the Lords work, and the present Government.'

*'A Declaration and Warning to all the Members of this Kirk,  
from the Commission of the Generall Assembly.'*<sup>2</sup>

Declaration and  
Warning.

'Seing men of malignant and perverse spirits do not cease to oppose the worke of the Lord, and disquiet the peace of His people, but, after many disappointments, renew their wicked designes and practises against Religion and the Covenant, It becomes ws, whom

<sup>1</sup> *Sic* in MS. for *their*.

<sup>2</sup> Printed forthwith as a 4to pamphlet with the above title.

the Lord hath called to so publick a trust, not to cease to renew our Warnings and Declarations; concerning the evill of their way, that they may be recovered out of the snare of Sathan, if it be possible, and that others may not fall therein, but avoyd such tentatiouns, and do their duty straightly and without fear.

‘We did, not long since, bear Testimony against the proceedings of Sectaries in our neighbour-land, in reference to Religion and Government; and it is vnto ws matter of very much astonishment and sorrow, that whilst their practises are not lessened but heightened, there should be found in our land some who have taken vp armes, and made insurrection in the North, labouring to strengthen themselves against the power and authority of the Parliament, that they may set vp againe the Malignant party, to overturne the worke of God, and tread vpon the necks of His people. And albeit most of that Malignant party are plagued of God with blindnes of mynd and hardnesse of heart, and stop their eares against instruction; yet, if there be any place left for exhortatioun, we shall desire these men, who are hatching such cockatrice egges, and weaving such spiders webs, and all others, who favour their way, and wish them to prosper, or have any thoughts or inclinatioun to joyne with them, or follow their steps, seriously to ponder and consider these things which follow.

‘1. What a horrible, a high provocation it is for any to be found fighting against God and persecuting His people and truth. Is not this it, that hath brought doune many Kings, and Princes, and great men, and overturned many Kingdoms, cities and families, and brought many great and sore plagues, vpon many particular persons of all ranks and conditions? 2. How abominable and treacherous a thing it is for men, who are vnder the Oath of God, and the tie both of the Nationall Covenant, and of the Solemne League and Covenant, some whereof have been lately professing and offering repentance for their former backslidings, to turne open enemies and adversaries thereto! Perjurie is hatefull amongst the heathen, and how much more hatefull and monstrous should it be amongst Christians, especially in those things that concern God and Religion? 3. Hath not the Lord, now for ten yeires past, shewen Himselfe stronge and mighty, dreadfull and terrible, in defeating all the designs, and breaking all the power, and bringing down all the pride of the Malignant party? Have they not many tymes digged deepe, to hide their counsells from the Lord, and hath He not found them out, and filled them with the devises

of their own hearts? With what art and industry have they many times promoted, and with what power and strength have they often times backed and carried on their purposes and projects? But He that sits in heaven hath alwayes blowen vpon them, and brought them to no thing. No weapon formed against His people hath prospered; but, after that the Lord had hardened the Instruments of our former troubles, by success for a little space, He did set a snare for them, and brought them downe to horrible destruction in a moment. The Lords dealing with the rebells in this Kingdom, and with the Authors and Abettors of the Engagement against the Kingdom of England, who[m] He hath made a terrour round about, we hope shall be examples of His wrath against the enemies of His cause and of His people, not onely to this, but also to the following generatiouns. 4. How great a wickednes must it be in such a period of tyme, when so much danger threatens Religion and Government, from that prevailing party in England, for men to arise in this land to discourage the hearts, and weaken the hands of the Lords people, by their Malignant and insolent attempts! 5. How little pittie have they, nay, certainly their malice and cruelty must needs be very great, who will needs, after so many and long continued troubles and calamities, againe involve this land in confusion and blood! It is the earnest and longing desire, and in some measure the hope and expectation of the Lords people in this Kingdom, after so many stormes and tempests, which have tossed them for many days, that the Lord may now bring them into the harbour of tranquility and peace. And the man who shall obstruct or retard this, as he shall be hated of good men, so certainly he shall bring vpon himselfe a great measure of wrath and indignation from the Lord, and God shall make his memory stink vnto the generatiouns that are to come. 6. What treachery and cruelty it is against the Kings Majestie, and what an obstruction in establishing of his throne, in such a nick of time, when both State and Kirk have sent Commissioners, and given in desires to his Majestie, in those things that concerne the securing of Religion, and the settling of his Majesties Government, and the peace of these Kingdoms, for any to raise new commotions and troubles, which cannot but foment jealousies between the King and his subjects, and beget and entertain differences amongst them, vnto the estranging their affections on from another! And whosoever are the Authors thereof, or accessory thereto, shall justly be lookt vpon as enemies to Religion, to his Majesties person and Govern-

ment, vpon whom the guilt of all these miseries, that may come vpon his Majestie or his Royall family, doth lie in a speciall way.

‘These and many other consideratiouns do exceedingly heighten and encrease the guilt of that wicked Insurrection, both before God and men. And therefore we do earnestly beseech and exhort all, who live in this land, that, as they tender their solemn obligatioun and Oath, both by the Nationall Covenant and by the Solemn League and Covenant, and as they love the honour of Jesus Christ, and the Gospell, and the work of Reformatioun, and as they respect the Kings honour and happinesse, and desire Religion to be secured, and peace to be settled; Nay, as they wish to eschew the heaue wrath and indignatioun of the Lord, That they doe not give any countenance, or assistance, nor connivance to these wicked men in their wicked way, much less to joyn with them in counsell or in armes. And because it lies vpon ws to be faithfull in our station, therefore, as we have already given warning vnto these men, that, vnlesse they do speedily desist from their evil way and repent, that we will proceed against them with the dreadfull sentence of Ex-communicatioun, so we doe now declare that this being a crime so atrocious, that if any shall hereafter joyne with them, we will be necessitated impartially to proceed against them with the highest censures of the Kirk, that such drosse may be purged out from amongst ws, and that others may learne to fear. We know that these men labour to shadow their attempts against Religion and Cause of God, vnder the pretext of self-preservation, and their being debarred from publick trust, and the respect which they owe to his Majesties greatnesse, the priuiledges of the Parliament, and libertie of the subjects. But we know no cause why they should have feared danger from these, to whom God hath comitted the power of the sword in the land, sufficient security being offered to them for their lives and estates, they obliging themselves not to disturb the peace of the Kingdom. That they are debarred from trust is that which their owne misdemeanors and treachery, by betraying of their former trust, hath justly procured on their part, and necessitated vpon the part both of Kirk and State vnlesse they would have resolved, after so many sad and dear-bought experiences of the backsliding and vnfaithfulnesse of these men, to be so blinde and foolish, as againe to tempt God to the overturning of His cause, and exposing the Kingdoms to ruine. Neither will any, who hath eyes to discern, look vpon them but as vpon the Kings enemies, and the enemies of his Throne; For

as they, by their perverse counsells and wicked combinatiouns and conspiracies, did harden the King his Royall Father, vnto the continuing of the afflictions and troubles of these Kingdoms, So we cannot but think that, if they and others of their way should cease to raise calumnies against these who are truly loyall to his Majestie, and to suggest evill counsells to the prejudice of Religion and the peace of his Kingdoms, and to entertain him with hopes of Armies for carrying on their wicked designes, but that his Majestie should in a very short tyme be settled vpon his Throne in peace, with all the splendor and greatnes that is due vnto him. And who will beleeve that these men are for the priviledges of Parliament, who, these many yeeres past, have pleaded and sought for an Arbitrary and illimited power, that ought not (if we will beleeve them), though acting never so vnjustly [to], be resisted by any? Or can it be thought that they are for the subjects liberty, who in the few moneths tyme that God permitted them to prevail, and<sup>1</sup> vse so horrible oppression over the Lords people, in their consciences, persons and estates? Most of those who have now made insurrection, and their adherents, are no other then these who oppose[d] the Cause of God, and the Work of Reformation from the beginning; neither are their principles, wayes, and ends any other then have been owned, and promoted by the Malignant party in these Kingdoms these many yeeres past. Of this we desire to give warning to all men in the land, that none may be deceived in partaking with them in their sins, lest they be partakers of their plagues. We do exhort all the Lords people to be strong in the Lord, and in the power of His might, and, as to adhere vnto the Covenant and work of Reformation, so to cleave to those whom God hath intrusted with the Government, and publick affaires in the land, that their hands may be strenthened in the performance of all publick duties, which they minde with so much faithfulness and care. These are they, whom the Lord was pleased to honour, to be the Instruments to begin the great work of Reformatioun in this Kingdom, who have been faithfull, in the midst of many difficulties and temptatiouns, in promoting of it in both Kingdoms, whose endeavours have been attended with blessings and successe from heaven. Neither is the cause, which they now owe<sup>2</sup> and defend, any other then that which they have owned and defended against the Popish, Prelaticall, and Malignant party these ten yeeres past, and are ready to maintain

<sup>1</sup> The sense seems to require *did*, not *and*.

<sup>2</sup> *Sic* in MS. for *owne*.

and defend against all enemies quhatsoever, both on the right hand and on the left. And therefore we hope that all, that love Religion and the Covenant, will be obedient vnto all their lawfull commands, and cordially, and actively further and promote the present levie, and chearfully and patiently bear the lengthening of necessary burthens, without which we can never preserve that which the Lord hath wrought amongst ws, nor our selves; and if any injustice or oppression hath fallen out, or shall hereafter fall out, in executing of publick orders for levies or maintenance, as we are confident that those, whom it concerns, will take speedy and effectuell course for reparatioun of the same, so shall we, according to our vocation, endeavour to have the same redressed, and remedies provided for the time to come. We know no cause why any mans hand should fail or his heart faint. The Lords hand is not shortened that it cannot save, nor His eares heavie that He cannot hear. He hath done great things for ws, and will never fail ws nor forsake ws. Our troubles shall help to refine ws, but not to destroy ws. They shall not overturn the work of Reformatioun, but put more beautie and lustre vpon it, and shall give vnto us more frequent evidences of the power and goodnesse of the Lord, and set Him high vpon the Throne of His Glory.'

The Commission appoints the letter following to be sent with the Declaration to Presbyteries, and that both be presently printed for the greater diligence:—

'REVEREND BRETHREN,—From the sense of danger that threatens Religion, and the Lords people in the land, because of the Insurrection that is now in the North, we have found it necessary to emit a Declaratioun and Warning, concerning that Insurrection, vnto all the members of this Kirk, And do hereby require yow to read and publish the same in your severall Congregatiouns from the pulpit, the first Lords Day after it shall come to your hands. The dangers that threaten Religion, and the snares that people are exposed to, from the Authors and Abettors of that Insurrection, are many and great, and certainly the Lord requires much of yow at such a time. Yow cannot be forgetfull what countenance and approbatioun He gave vnto the endeavours and testimonies of such Ministers as were faithfull in the land the last year, which is both an obligatioun vpon them, and a ground of encouragement vnto

Letter to Presbyteries.

them, to do their duety in this exigent straightly and without fear. And therefore we do seriously exhort yow to give faithfull and free warning vnto all your people of present dangers and duties, Especially to exhort them to the furthering and promoving of the present leavy, and the patient bearing of necessary burthens, and the giving of cheerful obedience vnto all the lawfull commands of these that are entrusted with the Civill Government, and with the care of the publick affaires of the Kingdom, and to the examining, discerning and avoyding all the snares and tentations, that proceed from Malignant and disaffected men, to joyne with the counsells or courses of these that have made Insurrection, and trouble the peace of the Kingdom; And that yow will, by all meanes suitable to your place and calling, endeavour to keep the people comitted to your charge straight in the Lords cause, and perswade them to be active and zealous in all the means, that may contribute for suppressing of these wicked men: Which is the hope and desire of

Your affectionat and loving Brethren,

*Edinburgh,  
May 11, 1649.*

THE COMMISSIONERS  
OF THE GENERALL ASSEMBLY.'

Reference—  
Laird of Fairningtoun.

The petition of the Laird of Fairningtoun being read, and himself heard, The Comission, hearing of signes of his repentance for his accession to the late vnlawfull Engagement, and good behaviour since his returne, Do therefore refer and recomend him to the nixt Generall Assembly.

Reference—  
Mr. Alexander Munro.

The Commission, having heard the petition of Mr. Alexander Monro, sumtyme Minister at Dornoch, acknowledging humbly his offenses, for which he was deposed, especially his intemperancy, and desiring that he may be reponed, and having heard himselfe, personallie present, expresse very much sense of his miscariage, Do therefore seriously refer and recomend him to the nixt Generall Assembly.

Concerning the letter received yesterday from Pluscardie and others, the Comission doe not thinke it fitt to returne answer to it, But continues to proceed against them vntill the nixt quarterly meeting; In the meantyme Doe resolve to wryte to Ogilvie and Midletoun the letters following:—

‘MY LORD,—We had thought the many snares quherin yow <sup>Letter to Lord Ogilvie.</sup> have fallen before, and the censures vnder which yow have been, togither with the late obligatiouns yow have taken vpon yow by entering the Covenant and otherwise, should have made yow wise for the tyme to come. But now it seemes that God hath plagued yow with hardnes of heart, for mocking Him by a profession of repentance for your former defection. We look vpon this horrid attempt to disturbe the peace of this Kingdom, wherein yow are now engaged, and which yow have added to all your former wickednes, as a forerunner of vengeance to be executed by the Lord vpon yow, for all your treachery in His cause and Covenant, and as the filling vp of your cup, and fulfilling the measure of your iniquity, except yow repent before the Lords decree come forth. And, although we thinke yow could not have expected any warning from ws, haveing once before been vnder the highest censure of the Kirk, yet we have thought good to shew yow, that if, betuixt and the 5th day of Junij nixt, yow doe not certifie ws that yow have left that wicked conspiracy, and layed doune armes, yow will bring yourself vnder a singular case of the Kirk censures, quherin no man before yow hath been in our time.

Subscribed in name of the Comissioners  
of the Generall Assembly

Edinburgh,  
11 May 1649.

By

‘Direct:—*To the Right Honourable My Lord Ogilvy.*’

‘SIR.—Yee were once employed in a place of great trust in the Armies of this Kingdom, and seemed to be very forward <sup>Letter to Generall Major Middletoun.</sup> in advancing the publick service, against all the enemies and opposers of the work of Reformatioun; But after yow were, through the Lords mercy and goodnes toward yow, recovered of a dangerous sicknes at St. Andrews in the year 1646 (at which tyme, by your large and high professions, yow had raised many to an expectatioun of great things from yow), we did observe, that yow had not been long in the fields but yow begun sensibly to decline in your affection and zeale for the cause, and familiarlie to converse with, countenance and protect



profane Malignants, and knowne enemies to Reformatioun of Religion, and the peace of the Kingdom. When differences did arise in this Kingdom concerning the late vnlawfull Ingagement against England, yow were verie active to seduce many officers in the Army to concurre therein, and was chiefly instrumentall in shedding the blood of diverse honest men at Mauchlin moore, who were only gathered together for their owne preservatioun, and had offered no injurie or violence to yow, or any other within the Kingdom. We desire also to put yow in mynd, what free, seasonable, and faithfull warnings wer given by this Kirk against that sinfull Ingagement; how much these were slighted and contemned by yow; what confident expressions<sup>1</sup> yow hade concerning your successe in England, and how vnanswerable that was to your expectatioun, the Lord having blasted from heaven all the designes of that Army, broken their strength with shame and disgrace, and your selfe being taken prisoner.

‘Yow are now returned from England, (by what meanes we know not), and as we vnderstand, by letters vnder your owne hand, have joyned in armes against the Cause and Covenant, which yow have sworne and subscribed, with Lues Gordon, ane excommunicate rebell, and others, who have alwayes been enemies to truth and peace in this Kingdom; And whilst in some letters yow are pretending to be for peace, yow are in others traduceing the Estates of Parliament, seducing the subjects to raise in armes with yow, and stirring them vp to rebellion against authority. These things, with what els your owne conscience shall further suggest vnto yow, we earnestly exhort yow seriously to consider, and from what a hight of profession yow have fallen, to a deep revolt against the Lord and His cause. We cannot conceale from yow the fears we have of your condition, that the Lord hath determined great wrath against yow, vnless yow speedily repent. Wherefore we beseech yow, in the name of our Lord Jesus Christ, to humble your selfe in the sight of God for your great transgressions, and to seek earnestly for mercy at His hands, that yow may be reconciled to Him after so grievous backsliding, which

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<sup>1</sup> *Sic*, but the sense seems rather to suggest *expectation*, as in next line.

is the readiest way also to give satisfaction both to Church and State. This Admonition and Exhortatioun we have thought fitt to give vnto yow, before we doe proceed to the censures of the Kirk, which your defection and appostacie have justly deserved. But if yow shall persist in that wicked way, wherein yow are engaged, and shall not signifie vnto ws before the 5th of Junij nixt that yow have layd downe armes, renounced that sinfull course, and are resolved to give satisfaction to Kirk and State, We doe forwarne yow, that we shall be necessitated to proceed against yow, with that dreadfull sentence of excommunicatioun, and cast yow out as an vnworthy member of this Kirk.

Subscribed in name of the Comissioners  
of the Generall Assembly

*Edinburgh,*  
11 Maij 1649.

By

Direct :—

‘RIGHT HONOURABLE,—We are very glad to vnderstand by your letters, (which yow have sent to the Comittee of Estates,) of your vigilance and care to prevent the cursed designses of these perfidious pairties, with whom yow have to doe. We lesse God also, that yow doe very well take notice of their subdolous and false dealings, even while they are making fairest pretences. We trust that the same God, who maks yow to perceive their dispositioun, will teach yow how to prevent their intentions, and not to be deceived by them. We exhort yow in the Lord, that yow be confident, that His wisdom and power will assuredly cary yow through your verie difficult employments, and it shall be our constant and fervent prayer to God for yow, (even as it hath been hitherto both in publick and private), that His Divine Majestie, who hes honoured yow hitherto, in employing yow to help this your native Kingdome diverse tymes against such enemies, will do so still.

Letter to the  
Generall Lew-  
tennant.

‘As for ws, we have emitted a Declaratioun to all the Kingdom, with letters to all the Ministers thereof, how to make vse of it, which we doe herewith send vnto yow. We have also written letters of warning to these parties, who are chiefe disturbers of the Kingdom, advertiseing them, (vnder pain of

excommunication), to desist from those their divisive and bloody attempts, and have sent them with this trustie bearer, with whom we desire your honour to send a trumpetter, that he may deliver them to these persons vnto whom they are directed. Finally, we have made choise of Mr. Andro Donaldson and Mr. Robert Bennets, Ministers, to attend your troupes of horse, and Mr. Robert Campbell and Mr. Thomas Lundie to be Ministers to your companie of foote, who are directed to come away with all expedition, and to continue with yow, vntill the nixt ensueing Generall Assembly shall appoint others to cum in their roomes. This, with all our heartie prayers to God for yow in all your imployments, we still ever continue,

Your very affectionat friends and servants in Christ,

THE COMISSIONERS

Edinburgh,  
11 Maij 1649.

OF THE GENERALL ASSEMBLY,  
and in their Names.'

'Direct:—*For the right honourable and our very noble friend, Livetennent Generall David Lesly.*'

Prorogatioun  
Dyet for  
Sterline.

The Commission, vnderstanding that the dyet formerly appointed for Mr. James Hamiltoun and Mr. James Durhame, to goe to Stirling to administer the Covenant, and<sup>1</sup> not observed, Therefore they doe now appoint them to goe thither, vpon Thursday cum 8 dayes, to performe these things comitted to them formerly.

The Comission, being now to dissolve while the nixt quarterly meeting, Doe recomend seriously to the Presbyterie of Edinburgh to appoint Ministers, to preach before the Parliament at their first conveening.

*Edinburgh, 12 Maij 1649, ante meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. George Hutcheson: Mr. Robert Traill: Mr. John Muncreiff: Mr. William Penman: Mr. John Knox: Mr. Patrick Gillaspie: Mr. John Livistoun: Mr. James Gutterie: Mr. James Hamiltoun: Mr. James Nasmyth: Mr. Alexander Dickson: Mr. John Sinclair: Mr. William Row: Mr. John Smith: Mr. George Leslie. ELDERS.—Marques Argyle: Lord Burghly: Lord Register: Mr. Alexander Peirson: Mr. Alexander Colvill: Lawrence Henderson: Mr. Robert Burnett: John Boiswall.

This day the Moderator shew, that he had sent earlie this morning to conveen the brethren, vpon receipt of letters late

<sup>1</sup> Probably should be *was*.

yesternight from Collonell Ker and others, concerning the defeat of the rebells in the North, which letter wes produced and read, Tenor quherof followes:—

‘RIGHT REVEREND,—The Lord hes layd His enemies and Scotlands in the dust, and therefore just it is that praise wait vpon the Lord in Zion, and happie is Scotland this day that He hath sett watchmen on her towres, that shall not hold their peace day nor night, and these, that make mentioun of His name, must not now be silent. We shall not desire to trouble you with tedious circumstances, for the Lords goodnes requires a very great enlargement. We shall only discover vnto you the way of the Lords dispensatioun and His worke, which shall speak to all the world to be His owne, so litle and nothing of man, so compleit in all its parts of God. We were in Innernes vpon Sunday at night, when we received intelligence, that the enemie were come from Torespay to Balvine, presently to discusse ws. We could not hear from the Livetennent Generall, and the enemy was making himselfe strong in many severall quarters in countrie. We conceived it better to suppress nor to be suppressed. We in our weak maner beged the Lords direction, that His blissing might wait His owne and our labours, and, with great freedome, concluded to march with all expedition to T[o]rispay, intelligence having come certaine that they were lyeing in Balveine at a wood, where we engaged with them; and there the Lord delivered them vnto our hands. We were not abone six score fighting horsemen and tuelfe muskiteires. We had some more, but they were wearied. We have at this tyme about 800 prisoners, betuixt 3 or 4 scoir killed, and tuo or thrie hundred fled. My Lord Rae, and all the officers are, according to the capitulatioun, prisoners; the rest are to be conveyed to their countrey, after we receive order from the publick; and therefore we shall expect such directions from you, as you shall thinke fit for securing and obliging, by oath, such as shall returne to their countrey. We will not wenter farder to molest your ever more grave and considerable affaires at this present, but humbly taking our leave, we remain,

Your affectionat servants,

*Subscribitur*

GILBERT KER,  
R. HALKET,  
ARCH<sup>d</sup>. STRACHAN.’

9 Maij 1649.

Letter from  
Collonell Ker  
and others con-  
cerning the  
defeat in the  
North.

‘Direct :—*For the right Reverend Mr. Robert Douglas, Moderator of the Commission of the Kirk.*’

The Commission of Assembly haveing seriously considered the Lords mercifull defeat of the enemies of the peace of this land, Thinke it necessarie that there be a solemne day of thanksgiving, vpon the 25th of this instant, for so great a mercie, and that the same be added as a postscript to the Declaratioun and Warning, and the letters concluded yesterday; And appoints a letter to be written to Collonell Ker and other officers, and that a draught thereof be drawne against the afternoon.

The nixt meeting afternoon.

*Eodem die, post meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Patrik Gillaspie : Mr. John Muncreiff : Mr. George Hutcheson : Mr. William Penman : Mr. William Row : Mr. William Jameson : Mr. Kenneth Logie : Mr. James Gutterie : Mr. John Smith : Mr. James Nasmith : Mr. Robert Traill : Mr. Alexander Dickson : Mr. John Knox : Mr. John Sinclair : Mr. George Leslie : Mr. James Hamiltoun. ELDERS.—Marques Argyle : Warriestoun : Duddistoun : Sir John Cheisly : Mr. Alexander Colvill : Mr. Alexander Pearson : Mr. James Campbell : Mr. Robert Burnet : John Boiswall : William Browne.

‘*Postscript of the Declaratioun and Warning, containing the Causes of a Solemn Thanksgiving, to be Fryday the 25 day of this instant.*’

Postscript of  
the Declara-  
tioun and  
Warning.

‘Within a short tyme, after that we had resolved and concluded thus to declare, and give warning concerning the Insurrection in the North, We received certane intelligence by an expresse, sent of purpose from thence, that vpon Tuesday last at Balvenie vpon Spey-side, by a party of an hundred and twenty horse, commanded by Lievttenant Generall Leslie to attend these fields, vnder the conduct of Collonell Ker, Lievttenant Colonell Hacket, Lievttenant Colonell Strachan, the Lord hath defeat the most considerable part, if not all the strength of the rebels in the North, to the number of tuelf hundred, of whom betuixt sixty and eighty are killed, near eight hundred taken prisoners, and amongst those the now Lord Rae, with his most considerable officers, and many considerable gentlemen and officers of the name of Mackenzie: Which, as it is

a most great and seasonable mercy, that carries vpon it a lively impression of the power and goodnesse of the Lord, so doth it engage His people to acknowledge and bear testimony to the same before the sons of men.

‘And, therefore, having now for a long tyme past had thoughts of a publick thanksgiving, for the many mercies bestowed vpon, and deliverances wrought for, the land, We conceive this day of salvioun to be a fitting opportunity, wherein the Lords people should make mentioun of His loving kyndnesse, and exalt His name by publick thanksgiving and praise, for all the great things which He hath done for them, especially for these which follow :—

1. That as the Lord, since the beginning of the work of Reformation, hath alwayes gone before His people, and visited them with most seasonable deliverances in the day of their difficulties and distresses, so also that of late, when all the power of the Kingdome, both in Judicatories and Armies, was come into the hands of Malignant and disaffected men, the Lord was pleased to preserve in this land, (having been over them in a pillar of direction and protection), a remnant in the Parliament, to dissent from, and protest against the proceedings of the greater part, tending so much to the prejudice of Religion and the work of God, and that He directed and enabled His servants of the Ministry to bear so free and faithfull Testimony in their Sermons, Warnings, and Declaratiouns against that vnlawfull Engagement, and put it in the hearts of many of His people to petition against it, and to refuse to concur therein, notwithstanding of their great sufferings.

‘2. That whilst the Malignant and disaffected party in the land were in the height of their strength, and pride of their power, God was pleased to breake their horne, and to scatter them, and bring them down, and to put it in the hearts of His people to come forth for their owne defence, against the remnant of their forces, and so to dispose, that after that Malignant party at Stirling had shed blood, yet things wer concluded in a peaceable way, and both their Armies and the Civill power gotten out of their hands, and put into the hands of those, that have been honest in the Cause from the beginning.

‘ 3. That the Lord was pleased to give vnto ws, in such a period of tyme, a Parliament consisting of so many able and faithfull men, who did walk so straightly in all things concerning Religion and his Majesties Government, and make so many pious and laudable Acts, for the suppressing of prophanity and iniquity, and advancing piety and righteousness in the land.

‘ 4. That the Lord hath disappointed and defeated so many secret plots, and devises tending to the vndermining of His cause, especially that [of] the Isle of Wight, so prejudiciall to the Covenant and the vnion betuixt the Kingdoms.

‘ 5. That the Lord hath been pleased at such a tyme, when all the Malignants of the Kingdom were hatching new devices, and strenthening themselves at home, and expecting forces from abroad, by so small a number, and in so vunexpected a way, to defeat so many of them, and give such victory and salvation to His people, without so much as one being killed on our side.

‘ 6. That the Lord was pleased to direct and assist both State and Kirk, in giving so seasonable, full, and harmonious testimony against the proceedings of the Sectaries in England.’

Postscript of the  
letter to Pres-  
byteries.

‘ *Postscript of the Letter.*—The Postscript of the Declaratioun will shew that, vpon a new emergent of the Lords goodness, Wee have resolved vpon a publick Thanksgiving to be kept throw all the Kirks of the Kingdom, vpon Fryday the 25 of this instant; And therefore, after yow read from your pulpits the Declaratioun, yow will also read the Postscript, together with the causes of the Thanksgiving, the Lords day before the foresaid dyet, and make intimatioun of the same, to be kept at the time appointed; And if these shall not come tymously, yow shall keep the Thanksgiving vpon the first convenient day after these shall come to your hands.

‘ We are both sorry and ashamed that the Irish<sup>1</sup> boyes who were brought to Glasgow for their breeding at schools, that there might be a seminary for Ministers in the Highlands, are like to be necessitat to leave the schools for want of maintenance, which comes to pass, because litle or nothing is as yet sent from the Presbyteries of that, which was appoynted for them

<sup>1</sup> *i.e.* Gaelic-speaking.

by the Generall Assembly ; And therefore we earnestly desire yow, as yow would not wish that the guilt and reproach of the fayling of so good a work, for so small a matter, should lye vpon yow, that yow will send in that fourtie shillings for every kirk appoynted by Act of Assembly.'

*'Edinburgh, 12 Maij 1649.'*

The Commission appoints the letter following to be sent to Collonell Ker and others, and that a postscript be written to the Generall Lievetenants letter. And because they vnderstand of the good behaviour of the Laird of Grant, They appoint a letter to be written to him ; Tenor of all which follows :—

‘ Since the wrytting of this letter, we have heard of the opportunity, that God hath cast into your hand, of making sure conditions with these men, by the victorie which God hath given to that party, which yow commanded to attend them ; for which, as we blesse God, so we are confident, and doe exhort yow, that yow so firmlie make conditions with all of them, as they get no back doores to their deceitfull dealing in tyme to come, which yow know how they incline vnto vpon all occasions ; wherein the Lord Himselfe direct yow, and assist yow in all your high imployments. We have appointed a solemne day for thanksgiving for the causes contained in the Postscript, added to the Declaratioun vpon the hearing of the late victory.’

Postscript of the letter to Leivetenant General.

‘ MUCH HONOURED FRIENDS,—We received yours concerning the defeating of those forces at Balvenie, And as, in the first place, our hearts are refreshed with the sense of Gods goodnes to His people, in helping ws in a tyme of need, before the enemy did grow stronger and our triall straiter, before His peoples hearts should faint, and the Malignant party have occasioun in their pride and wickednesse to boast, so it addeth to our refreshment, that the Lord hath done His work in such a way that He alone may be exalted, and the praise of it be wholly and vnquestionablie His, while He saves by few and not by many, and makes vse of weak disproportionable meanes, and worketh against disadvantages in the way. We hope that not only yow, who have seen His working, but all the Lords people who shall

Letter to Collonell Ker and others.



hear tell of it, shall confes that they are saved, not by sword nor bowe, but by the Lord their God. While this mercy is yet recent, we have appointed the [25th] day of [Maij] to be a day of thanksgiving for this and other late mercies.

‘We doe in the nixt place take notice of your pious and Christian resolutions and carriage in that bussines, in your begging the Lords direction and blessing vpon it, and returning to Him the praise; wherein we desire to encourage yow, that yow seek God diligently in all your vndertakings, and act in His name with like confidence, whensoever He shall call yow to any service against His enemies, and cast opportunities in your way at any tyme to serve the publick. Let this be to yow a confirmation that, though the Lords people be few and His enemies manie, yet have we no cause to faint. We say no more at this tyme, but that we are,

Your very loving friends in the Lord,

Edinburgh,  
12 Maij 1649.

THE COMMISSIONERS

OF THE GENERALL ASSEMBLY.’

‘Direct: *To their much honoured friends Colonell Gilbert Ker, Livetenant Colonell Hacket, and Leivtenant Colonell Strachan.*’

‘*Postscript.*—Concerning an Oath to be taken of the comon sojors, We think good that an Oath, obliging them to the Cause, be drawn vp in wrytting, and that the same be subscribed by them who can wrytte, and that notars subscribe for them that cannot wrytte.’

Letter to the  
Laird of Grant.

‘RIGHT HONOURABLE,—We have heard of your good cariage, in the tyme of this late Insurrection in these bounds, how yow have not only avoided any conjunction with these wicked and perfidious men, who have attempted to trouble our peace, and to obstruct the Kings Majesties agreement with his people, but also been otherwise instrumentall in the publick service. Wee look vpon this as a testimony of your stedfastnes, in your resolutions and promises to the Commissioners of the Generall Assembly at Aberdene, and we are glad that we have any ground, in a tyme of triall, to reckon yow among the friends of this Cause of God, and that we have this opportunity to exhort yow, to proove your selfe zealous for the Solemne League

and Covenant, and all the ends thereof, in those parts where yow live, and to have no part in the counsels and courses of Gods enemies, which He doeth defeat, as yow see daylie. And we beseech yow to bear in mynd, how often the Malignant party have taken counsell, and God hes brought it to nought; how often they have associated, and have been broken in peeces; how often the Lord hath brought their devices vpon their owne heads, and when they have been raised to the greatest high[t,] that it hath been for their greater ruine.

‘Sir, we expect yow will lay vp these things in your heart, for your owne confirmatioun in the love of this Cause, and if new trialls shall hereafter arise, we commend yow to the Lords grace, and remaine,

Yours in the Lord,

Edinburgh,  
12 May 1649.

THE COMISSIONERS  
OF THE GENERALL ASSEMBLIE.’

‘Direct: *For the much honoured The Laird of Grant.*’

The Commission appoints also the letter following to be written to Mr. Mungo Law:—

‘REVEREND AND LOVEING BROTHER,—Vpon notice of the Insurrection in the North, we conveened vpon Thursday the 10th of this instant, and having perfected a Declaration, warning of the dangers, and exhorting to the dueties of the present tyme, our meeting dissolved on Fryday. But vpon the newes of the enemies defeat, We mett againe vpon Saturday, and resolved, in a Postscript to the Declaratioun, to joyne the causes of a solemn thanksgiving to be kept vpon the 25 of Maij. A copie of all we send yow herewith, together with a copie of the letter vnto the Presbyteries. Yow will have a care, that the packets for Presbyteries may be dispatched with all convenient speed, that the day may be kept by so many as the letters come to in due time. We have left the letters to Midletoun and Ogilby inclosed, that the Livetenant Generall may read them, after which yow may cause close them, and procure that the beirar may be sent with them. Let this letter of encouragement to the Laird of Grant be conveyed vnto him with a sure hand. We have appointed Messrs.

Letter to Mr.  
Mungo Law.

Robert Campbell and Thomas Lundie to waite vpon the fute, and Messrs. Robert Bennet and Andro Donaldson to waite vpon the horse, vntill the ensueing Generall Assembly appoint their releif, and for that effect we have written to them. We know your being there hath been and is verie acceptable to these whom yow attend, and profitable vnto all; and therefore we pray the Lord to blesse your self with health for the attendance, and your travells with good succes. We do remaine,

Your Loving Brethren,

Edinburgh,  
12 May 1649.

THE COMISSIONERS  
OF THE GENERALL ASSEMBLIE.'

'Direct: *For our Reverend and very loving brother, Mr. Mungo Law, Minister of Gods Word in Edinburgh, for the present attending the Army.*

The Commission of Assembly thinke it very necessary to give advertisment of this mercifull change of affaires herewith to our Commissioners now with the King, And therefore appoint the letter following to be sent to them with diligence.

Letter to the  
Commissioners  
with the King.

'RIGHT REVEREND AND HONOURABLE,—The influence that our affaires may have, toward the succes of your addresses there, hath made ws take this occasion to acquaint yow with the scattering of those forces in the North, which were drawn together by Lues Gordon, Lords Rae and Ogilby, Pluscarden and Midletoun, and were growing daylie to the troubling of our peace. The Lord hath suddenly dissipated them, by an infall in the quarters, vpon the 8 of this instant Maij in the morning. We have sent yow the doubles of the letters bearing the certainty and convey of the bussines, by which yow will have sufficient informatioun of the whole matter. Only we adde that, since the scattering of those forces, we vnderstand that Pluscardin and Midletoun have accepted the conditions, which were offered to them, and are content to give security for the peace of the Kingdome; and we hope before this tyme Lues Gordon and Ogilby have submitted to the like conditions. We have appointed the [twenty-fift] day of [Maij] for a solemn thanksgiving for this and other late mercies, wherewith we thought good to acquaint yow, that yow manage this to

the best advantage of the work in your hands, according as yow shall thinke fitt. We are,

‘Your very Loving Brethren,

Edinburgh,  
12 Maij 1649.

THE COMMISSIONERS

OF THE GENERELL ASSEMBLY.’

‘Direct :—*To the Right Reverend and Honourable, The Commissioners of Scotland, now at the Hage.*’

*Edinburgh, penultimo Maij 1649, post meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. James Hamiltoun : Mr. Walter Gregge : Mr. John Knox : Mr. Samuell Austaine : Mr. John Smith : Mr. John Magill : Mr. John Muncreiff : Mr. John Knox : Mr. Mungo Law : Mr. George Leslie : Mr. John Lawder : James Gutterie : Mr. Robert Traill : Mr. Patrik Gillaspie : Mr. George Hutcheson : Mr. Andro Wood : Mr. James Nasmith. ELDERS.—Marques Argyle : Lords Elcho : Burghlie : Wariestoun : Craighall : Scottsraig : Creich : Sir James Hacket : Whytbank : George Porterfeild : Mr. Alexander Colvill : Mr. Robert Burnet : John Browne : William Browne.

This day a letter produced from the Provincial Assembly of Fyffe, Tenor quherof followes :—

‘RIGHT REVEREND,—We your Brethren, conveyed by the good hand of our God in the Provinciall Assembly of Fyffe, considering your great paines and faithfulness in promoveing the work of God in this land, and in managing the affaires of the Kingdom of Christ, committed to your trust, and especially in order to the late Generall Assembly, and in reference to this Parliament, so happily constitut by the rich mercie of God, for advancing Religion, Righteousnesse, and the ends of the Solemn League and Covenant, cannot but blesse the Father of Lights for the comfortable fruits thereof, and confidently doe expect the like zeale and faithfulness shall be evidenced by yow, in all matters that shall fall vnder your consideratioun, in these most sadde and dangerous tymes ; And we, in our stations, (by Gods grace), shall not be wanting to contribute our outmost endeavours in prosecuting the same ends, Which shall be the humble and constant desire at the Throne of Grace of

Letter from the  
Province of  
Fife.

‘Your Loving Brethren in Christ,

Dumfermking,  
Aprile 1649.

*Subscribitur*, MR. GEORGE HAMILTONE,

*Moder.*, in Name of the Assemblie.’

Direct:—‘*For our Reverend and Loving Brethren, The Comissioners of the Generall Assembly.*’

References.  
Engagers to  
Assembly.

Concerning the petition of Lievetenant Colonell Robert Halsall and Lievetenant Andro Wardlaw, acknowledging their accession to the late vnlawfull Engagement, The Comission refers them to the nixt Generall Assembly.

Committee.

The Commission appoints Messrs. James Hamiltoun, James Nasmith, James Gutterie, John Smith, Mungo Law, with Mr. Alexander Colvill and Mr. Robert Burnet, to be a Comittee to consider vpon Overtures for planting of the Highlands, and to report.

Committee  
for Irland.

The Commission appoints Messrs. William Jamesone, John Muncreiff, George Hutcheson, George Leslie, Patrik Gillaspie, with the Lord Elcho, Lord Craighall, Whytbank, and William Browne, and the former Comittee, to consider vpon the letters from Ireland; as also to consider what is to be presented to the Parliament; And they to meet the morne at 10 houres, and the Comission at tuo houres.

*Edinburgh, ultimo Maij, ante meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Mungo Law: Mr. Robert Traill: Mr. James Hamiltoun: Mr. John Hamiltoun: Mr. Andro Wood: Mr. John Lawder: Mr. Walter Gregge: Mr. William Jameson: Mr. Andro Bennet: Mr. James Gutterie: Mr. Patrik Gillaspie: Mr. John Muncreiff: Mr. George Leslie: Mr. Andro Donaldson: Mr. John Maghill: Mr. James Nasmith: Mr. George Hutcheson: Mr. John Knox: Mr. John Knox at Selkirk. ELDERS.—Lord Angus: Lord Craighall: Creich: Inglishtoun: Whytbank: Mr. Alexander Colvill: Mr. Robert Burnet.

Transportation  
Mr. George  
Narn to  
Bruntiland.

The Commission of the Generall Assembly, having considered the sumonds of the parochiners of Bruntiland against Mr. George Nairne, Minister at Cameron, and his parochiners, for his transportatioun to Bruntiland, And having heard the said Mr. George, personallie present, and some of his parochiners, Doe transport the said Mr. George from Cameron to Bruntiland, and ordaine him to remove to settle there with all diligence.

Recomenda-  
tion Kirk of  
Cameron.

The Commission of the Generall Assembly Doe humbly recomend to the honourable Estates of Parliament to provyde

some effectuall course for planting the kirk of Cameron, and provyding a sufficient maintenance for a Minister there.

The next meeting afternoon.

*Eodem die, post meridiem.*

*Sederunt*.—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. James Gutterie: Mr. James Hamilton: Mr. John Hamiltoun: Mr. Andro Donaldson: Mr. John Knox<sup>1</sup> at Bouldoun: Mr. Samuell Austaine: Mr. George Leslie: Mr. James Nasmith: Mr. John Maghill: Mr. Andro Bennet: Mr. John Chalmers: Mr. John Smith: Mr. Patrik Gillaspie: Mr. Walter Gregge: Mr. John Knox: Mr. John Knox<sup>1</sup>: Mr. John Muncreiff: Mr. George Hutcheson: Mr. Mungo Law: Mr. William Jameson: Mr. Robert Traill: Mr. Andro Wood: Mr. John Sinclare: Mr. Thomas Donaldsone. ELDERS.—Lord Angus: Lord Borthwick: Lord Craighall: Sir James Stewart: Creich: Inglishtoun: Sir James Hacket: Whytbank: Sir John Cheisly: Scotiscraige: George Porterfeild: Mr. Robert Barklay: Lawrence Henderson: Mr. James Campbell: Mr. Thomas Murray: William Browne: John Browne.

The Commission, having considered the petition of Andro Henshaw, on of the Maissers of the Session, bearing his sorrow and sense for attending the Comittee, that went out in the late vnlawfull Engagement, and having heard him self expresse his greefe for that offence, and vnderstanding the tentations he had, being comanded by the Comittee then in place, and knowing his good affection to the Cause, expressed in former times in his station, Therefore conceiving his fault to have been of infirmity, and being satisfied with his sense of the same, Doe ordaine him to be admitted to the Covenant and Communion, in maner prescribed in the like cases.

Act for receiving Andro Hainshaw.

The Commission of Assembly appoints Messrs. James Gutterie, Mungo Law, John Smith, Whytbank, and Mr. Robert Burnet, to assist the supplicatioun given in to the Parliament, for taking some reall and effectuall course for paying of Doctor Sharpe his debt.

Doctor Sharpes relict.

In the matter concerning the transportatioun of Mr. John Makgill to Kirkcaldie, The parochiners of Kirkcaldie moved that the Commissioners from the Presbyterie of Cowper could not sitt nor voyce in this matter, in respect the Presbyterie of Cowper had drawne reasons against Mr. Johns transportatioun, to be presented to the Comission by the said Comissioners, which they could not deny: The Comission found the excep-

Declinatours in the transportatioun of Mr John Makgill.

<sup>1</sup> *Sic* in ms. Three of this name were then in the Church, but two only were members of Commission.

tion relevant, and therefore removed the Commissioners of Cowper; and in respect that the said Commissioners at Cowper and Mr. John Makgill and his parochiners did vrge that the Commissioners of Kircaldie sould by advise be removed, The Comission thought it expedient to remove them also.

Refusall of the  
transportatioun  
of Mr. John  
Makgill to  
Kircaldie.

Concerning the sumonds of the Parochiners of Kircaldie, for transportatioun of Mr. John Makgill from Dunbug, The Earle of Dalhousie, Sir John Weemes of Bogie, and diverse others of the towne and paroch of Kircaldie, compeiring for the said transportatioun; and the Laird of Creich and diverse others of the paroch of Dunbug, and the said Mr. John Makgill, appearing against the same; The Comission having heard the saids parties *hine inde*, Doe refuse the said transportatioun, and find the said Mr. John should stay at Dunbug, notwithstanding the sumonds and reasons given for the same.

The Comission appoints Mr. James Nasmith, and Mr. George Hutcheson, to preach to the Parliament the nixt Sabbath, and Mr. Andro Donaldson to pray to the Parliament the morne.

The nixt meeting the morne at 10 houres.

*Edinburgh, 1 Junij 1649, ante meridiem.*

*Sederunt*.—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. James Hamiltoun: Mr. Patrik Gillaspie: Mr. John Hamiltoun: Mr. John Knox: Mr. George Leslie: Mr. John Lauder: Mr. Walter Gregge: Mr. Samuell Austaine: Mr. John Adamson: Mr. Ephraim Melvill: Mr. William Jameson: Mr. John Smith: Mr. James Gutterie: Mr. George Hutcheeson: Mr. John Sinclare: Mr. James Nasmith: Mr. John Knox at Bouldoun: Mr. Mungo Law: Mr. Robert Traill: Mr. Andro Affleck: Mr. Andro Donaldson: Mr. Thomas Donaldson: Mr. John Muncreiff: Mr. John Makgill. ELDERS.—Whytbank: William Browne.

Thanks to  
Generall Leiv-  
tenant David  
Leslie.

The Commission of Assembly appoints Messrs. James Hamiltoun, George Leslie, Robert Traill, James Nasmith, and William Browne, to goe to Leivetenant Generall David Leslie, and, in name of the Comission, render him heartie thanks for his good and faithfull service, and to encourage him to continue therein.

Mr. James  
Aitkin.

The Commission of the Generall Assembly, having considered the petition of Mr. James Aitkin, and the Act of the late Generall Assembly, for his triall of the particular scandalls

informed against him by John Sinclare, Doe therefore hereby warne and requyre the said John Sinclare to report to the nixt Generall Assembly his diligence, conforme to the appointment of the Assembly, vnder the certificatioun contained in the Act of the said Assembly made therevpon ; And lykewayes the Comission recomends to the tuo brethren in Orknay, viz., Mr. Patrik Watersone and David Waterson, to report to the said Assembly their diligence in the triall of the said scandalls, conforme to the power given to them by the late Assembly ; And further, the Comission, considering how grievous a burding it is to the said Mr. James to lye vnder the scandalls of the said informations, Doe therefore seriously recomend to their brother, Mr. Andro Cant, Moderator of the Visitation of Rosse, to whom a report of the said matter should have been made, That he may be pleased to doe anything necessarie for rypning a report to the said Assembly.

The letter from the Presbyterie in Ireland, and from Mr. James Ker and Jerime Ognitie, being againe read, The Comission resolve to returne answers vnto them. Letters from  
Ireland.

‘ RIGHT REVEREND,—We have received severall letters from yow, whereby we have been, as to our great refreshment much confirmed in what the Lord had otherwise before engaged ws in, so also seasonablie directed, how to carie our selves in all our proceedings in these difficile times. Our duetie to yow, your great care and constant mindefulnesse of ws, and the great need we have to be advysed by yow in all things, hes still pressed ws to be more in keeping correspondence with yow. But since the tyme that, by reason of the late insolent practises of the Sectaries in England, we found our selves necessitate to tender the renewing of the Solemn League and Covenant of the three Kingdoms here, we have been constrained to doe many things, new cases and emergents continually occurring, which could not grant tyme to be advised with yow. However, as the worke in our hands is the Lords, so hath He not been wanting to the oncarying of it, wherein as He hath caithed<sup>1</sup> tendernes to His owne glory, so hes He gratically considered ws, who are in ourselves otherwise weake both for

<sup>1</sup> *i.e.* kythed.



dueties and difficulties. He laid vpon ws no greater burden but that we should hold fast that which we have, and He hath helped ws to vndergoe our burthen. We are the more strengthened for it, when we consider how ye stand fast in the Lord, and are made by Him a defenced citie, an iron pillar, and brasen walls against all these men, whose anger teares perpetually, and who keepe their wrath for ever. Though they fight against yow, yet doe they not prevaile against yow. "Cursed be their anger, for it is feirce; and their wrath for it is cruell." They be these sonnes of Beliall; they "shall be all of them as thornes thrust away, because they cannot be taken with hands." They are the men who are likely to be the sharpest thornes in our sides. But they have begun to fall, which to ws is a pawne, that they shall not prevaile against ws, but shall still fall before ws. He, who is King vpon His holy hill of Zion, hath His masse<sup>1</sup> of iron in His hand, and doeth dash His enemies on against another as a potters wesshell. He so raignes amongst His enemies, that He maks them to fight for Him, and gives His people no more adoe, but stand still and behold His salvatioun. We will not trouble yow with any longer letter. We have sent vnto yow our brother, Mr. Thomas Hall, who will acquaint yow with all our proceedings, and informe yow of our present state and condition; and we doe expect, that your best advise and counsell in all things will be returned by him vnto ws, who are,

Your affectionate and much obliged Brethren,

THE PRESBYTERY OF CARIKFERGUS.

*Subscribitur* GILBERT RAMSAY, Moderator.'

'From our Presbyteriall Meeting at Carikfergus, Maij 4, 1649.'

Direct: '*For the Right Reverend The Moderator and remanent brethren of the Commissioners of the Generall Assembly of the Church of Scotland.*'

Letters from  
Ireland from  
Mr. James Ker.

'REVEREND AND WELBELOVED IN THE LORD,—Grace, mercie, and peace be multiplied vpon yow. These few lynes are to

<sup>1</sup> *i.e.* *masse*, referring to the word translated *sceptre* in the Genevan version and *rod* in the Authorised and Revised Versions of Psalm ii. 9.

informe your wisdomes, what hath pleased the Lord to permitt to fall out here amongst [us] in this present tyme, viz., that our Brethren of the Presbyterie did emitt a Representatioun, which came soudanely to our hands, being farr distant from them; and we being commanded to read it, found no clearnes so to doe, and that because of severall objections, which we had against severall things therein contained,<sup>1</sup> which occasioned ws to delay the reading of it, and, vpon our delay to read it, our brethren were displeased with ws; and, what betuixt their pressing vpon ws to read it and our delay, such an effect was brought forth as this inclosed paper shall mention. And, because as we would be very tender in doing anything against our light, so we are bound likewise to strengthen the hand of our brethren, and by no meane willingly weaken them; Therefore we humbly intreat your wisdomes to signifie vnto ws, vnder your owne hand, what is your advise to ws in this straight, and whither or not those things, which we object against in your<sup>2</sup> Representatioun, be all true, as is affirmed. So having no more to trouble your wisdomes with all, but praying the Lord to cary yow through straight in His weighty affaires, and intreating yow to send a plaine and speedy answere, we are,

Your Loving Brethren,

*Carickfergus, this  
5th Maij 1649.*

*Subscribitur*

JAMES KER,  
JEREMI OGNITIE.<sup>3</sup>

Direct: '*For their Reverend and learned Brethren, The Commissioners of the Generall Assembly of the Church of Scotland—These.*'

'REVEREND AND BELOVED BRETHREN,—We have considered the papers sent to ws by our brother, Mr. Thomas Hall, in reference to your proceedings with the tuo brethren that are vnder your censure, and have taken particular notice of the

The answers to  
the letters  
above written.

The letter to  
the Presbyterie  
in Irland.

<sup>1</sup> They had scrupled to read the declaration of the Presbytery condemning in strong terms the excesses of the English Army, the 'purging' of the House of Commons, and the 'judicial murder' of the King.

<sup>2</sup> Probably should be *their*, the contracted form of both being very like.

<sup>3</sup> O'Quin and O'Queen are the forms of the name of this minister given in Reid's *History of the Presbyterian Church in Ireland*, where, in vol. ii. chapters xiv. and xv., a detailed account is given of these disputes, which, being fanned by the Cromwellian officials and the Sectaries, were not happily ended till 1652.

objections, which they have made against your Representatioun, and for their owne justificatioun in not reading thereof. And as we have notified to them, that the grounds and way of their dissenting from yow have bein vnsufficient, and that your censure against them is just, so we doe heartily advise yow that, vpon their submission vnto yow, They may be authorized againe to exercise their Ministry as formerlie, that the breach may be repaired, the rent healed, all your hands strengthened, and the enemies disappointed. Yow have need also to look to all them, who have declared and professed with yow, or who shall hereafter make offer to declare and professe as yow now doe, that none of them dryve to anie designs on the by, either to gratifie the Malignant party, who are the greatest opposits at this tyme within that land, and who doe expect more helpe from abroad ere long, vnder the notioun of the Kings service, which we fear will be his Majesties reall vndoing, Or, on the other hand, to doe favour to the Sectarian partie, who will by all meanes stryve to weaken your hands in your Ministerie, which the Lord blesse, and make abundantly fruitfull to His honour, In whom we rest,

Your most loving Brethren,

Edinburgh,  
1 Junij 1649.

THE COMISSIONERS  
OF THE GENERALL ASSEMBLY.'

Direct : '*For their Reverend and Loving Brethren.*'

Letter to Mr.  
James Ker and  
Jerome Ogilvie.

'REVEREND AND BELOVED BRETHREN,—We have considered your letter, together with the inclosed paper, with much griefe, that, in a tyme when enemies, on all hands, are readie to pluck vp the Lords tender plants in that corner, there should be so much advantage given by any divisions amongst yourselves, whose concord and vnanimitie hath been a chiefe meane, (through the Lords blessing), of advancing the work of the Lord there. Especially we regrate, that yee should then had so great a hand in that division, by your debates with the Presbytery, and persisting in your scruples, some quherof yourselves, after more mature deliberatioun, will easily judge with ws to be very freevolous, (that we say no more), others of them of dangerous consequence, and such as do declare that yee steere not a steady course, betuixt rocks on all hands, or that yee see through all the evils of the time; and none of them of any

moment to infringe the truth of what the Presbyterie hath asserted, or such as might have moved yow to stand out against their publik determinatiouns, to the weakening of their hands, and of these in that land who cordiallie affect the Cause of God, and to the putting of advantages into the hands of such as may be ready to improve them, for advancing some other designe, then yee yourselves (if yee saw through it) would approve off. We count it also incumbent to ws to put yow in minde, that we are certainly informed that your last papers have not been by yow communicate to the Presbyterie, or any of your brethren, but put into the hands of others, and made publik, and that after your being sentenced with suspension; As also that yee have divulged over<sup>1</sup> papers, which lay the whole weight of your refusing to joyne with the Presbyterie vpon other grounds and jealousies, then yee expresse in your papers to them, quherin we wish yow had delt more brotherlie and duetifully, and had evidenced more jealousie of your owne opinions, and more desire to have the breach made vp.

‘ Having seriously considered all these particulars, our advice to yow is that yee seeke wisdom from the Lord, whereby yee may be enabled to discern the times, and to know what duetie the Lord calls for at your hands, that, as faithfull watchmen, yee may give warning of all dangers, and that, in this particular, yee seek to make vp the breach by submitting yourselves to the Presbytery, (who we doubt not will be willing and ready to receive yow), and concurre with them thereafter in their common resolutions for advancing the work of God, according to the Covenant. Hereby yee shall doe good service to God, in strengthening the hands of your brethren and of the honest party; yee shall evidence your sobrietie and self deniall, in not leaning to your owne vnderstandings; ye shall frustrate the hopes of many, who waits for your halting, and for some advantage by it; and shall verie much refresh the bowells of

Your Loving Brethren,

THE COMMISSIONERS

Edinburgh, 1649.

OF THE GENERALL ASSEMBLY.’

<sup>1</sup> Certainly a mistake for *oyer*, *i.e.* other. These papers had been communicated to the commanders of the Commonwealth's forces in Down and Antrim, and were ultimately published in London, with the view of shewing ‘the pitiful slavery they lie under where a presbytery is established.’

Direct :

The Committee to meet at tuo houres, and the Comission at four.

*Eodem die, post meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. James Gutterie : Mr. John Hamiltoun : Mr. Andro Affleck : Mr. James Hamiltoun : Mr. George Leslie : Mr. John Muncreiff : Mr. John Knox at Boldoun : Mr. Samuell Austaine : Mr. Ephraim Melvill : Mr. Mungo Law : Mr. Andro Donaldson : Mr. John Knox : Mr. Walter Gregge : Mr. John Lawder : Mr. Patrik Gillaspie : Mr. John Sinclair : Mr. Thomas Donaldsone : Mr. Robert Traill : Mr. John Chalmers : Mr. James Nasmith  
ELDERS. — Englishtoun : Whytbank : Mr. Robert Burnet : William Browne.

Mr. William Colvill.

This day Mr. William Colvill appeared before the Comission, and gave in exceptions in writt against the receiving of Messrs. Andro Ramsay, Robert Balcanquell, David Drumond, William Trent, Andro Bannatyne, and John Courtney, witnesses for the proving the libell given in against him, as being *Correi*. The Comission, having considered his exceptions, and the whole paper, repelled the same.

Mr. William Colvill.

The Commission, having found that there wes meetings in Mr. William Colvills house about the Divisive Petition, wherein himself wes present, and that in these meetings it wes agreed that a draught of the Petition should be drawne, and that he himself heard it read, and reasoned for it, Doe therefore refer the said Mr. William to the nixt Generall Assembly, and he warned *apud acta*.

Earle of Dalhousie.

The Commission, having considered the humble petition of William, Earle of Dalhousie, for his admission to the Covenant and Communion, bearing his sense and grieve for his accession to the late vnlawfull Engagement, And having also heard the report of some brethren, appointed to speake with him, of his sense and vnfained sorrow, for his concurring in Parliament for the late Vnlawfull Engagement, for his subscribing the vnlawfull band ; And having certane knowledge and experience of his good affection to the publik cause in former times, Doe therefore recomend to the Presbytery of Dalkeith to receive his publik satisfaction, in what maner they thinke good, and thereafter to admitt him to the Covenant and Communion.

The Commission refers Sir John Mackenzie for his accession to the Engagement to the next Generall Assembly. Sir John Mackenzie.

The Commission appoints Messrs. James Hamiltoun, Mungo Law, James Gutterie, and James Nasmith, to conferre vpon the particulars contained in the letter from Innerary. Inneraray.

The Commission, having heard from Innerary that Mr. Walter Comrie is not yet removed to Innerary, Doe therefore appoint the letter following to be written to him :—

‘REVEREND BROTHER,—Being informed by a letter from the Provincial Synode at Inneraray, that ye have not removed for settling your selfe in the Ministry there, according to our appointment, Therefore these are to require yow to repaire here betuixt and Thursday next, to give a reason for your disobedience to our former Ordinance for your transportation, certifieing yow, if yee neither remove thither, nor come here against the said time, we will be forced to proceed against yow according to the Acts of the Generall Assembly. Letter to Mr. Walter Comrie.

Your Loving Brethren,

Edinburgh,  
Junij 1649.

THE COMMISSIONERS  
OF THE GENERALL ASSEMBLY.’

Direct: ‘*For their Reverend Brother Mr. Walter Comery, Minister at*

The Commission recomends the petition of Mr. Alexander Trotter to the honourable Estates of Parliament for planting kirks, to consider his mean condition, having served these many yeires without any stipend, that some course may be taken for payment of his bygone service, and to settle a stipend to him in tyme cuming. Mr. Alexander Trotter.

The next meeting of the Comittee the morne at tuo houres, and the Comission vpon Monday at tuo houres.

*Edinburgh, 4 Junij 1649, post meridiem.*

*Soderunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. James Hamiltoun : Mr. John Hamilton : Mr. John Knox at Bouldoun : Mr. Robert Young : Mr. Walter Gregge : Mr. John Smith : Mr. Thomas Donaldson : Mr. George Hutcheson : Mr. George Leslie : Mr. Andro Auchinleck : Mr. James Gutterie : Mr. John Knox : Mr. Walter Auchterlony : Mr. Robert Traill : Mr. Mungo Law : Mr. Samuell Austaine. ELDERs.—Sir James Stewart : Whytbank : Lawrence Henderson : Mr Robert Burnet.

<sup>1</sup> Blank in MS. See note on p. 153.

Mr. James  
Fergusone.

This day Mr. James Ferguson called, and not appearing, and the Baillies of Edinburgh representing the preju[di]ce they sustaine by the said Mr. James his absence, The Comission appoints a letter to be written to Mr. James, requyreing him to appear before the Generall Assembly, and that the letter be a sufficient warning for that effect.

Overtures for  
Argyle.

The Commission appoints the Overtures given in by the Comissioners from Argyle be drawne vp in a Supplicatioun,<sup>1</sup> and that Messrs. James Gutterie, Mungo Law, James Hamilton and James Nasmith assist the Supplicatioun to the Parliament.

Recommendation  
to the Generall  
Assembly concerning  
planting  
kirks in the  
Hielands.

The Commission of the Generall Assembly, having considered the report of the Sub-comittee concerning planting the Hielands, Doe seriously recomend to the nixt Generall Assembly, that they would appoint a Visitation of all the Kirklands of Scotland in this order, to witt, That, in the moneth of August or September next, some may visite the Province of Argyle, others the Hielands of the Province of Perth, Aberdein, Murray and Ross, and that the Parliament be supplicated, that the respective Justices goe alonge at the same time, and keepe circuite courts for justice.

2. It is the opinion of the Comission that it be seriously recomended to the Generall Assembly, that some able and prudent and active men be planted in the most eminent places of the Hielands, such as the Channery of Ross, Inneraray, etc., and that, if they cannot be otherwise had, some be transported out of the Lowlands hither.

3. Anent the particular which concerns Donald Camerone, The Comission thinks that it sould be seriously recomended to the Parliament, that some course may be taken for the payment of that he gave so seasonable for the publick.

Reference.  
Some in Angus  
to the Generall  
Assembly.

The Commission, having considered the report made by Mr. Andro Affleck from the Provincial Synode of Angus, concerning Messrs. Sylvester Lambie, Thomas Pearson, James Gutterie at

<sup>1</sup> This appears to have been done before 21st June, on which day, three Acts of the Committee of War for Argyll, were ratified making temporary provision for the payment of the ministers' stipends in those parishes which had been 'brunt by the rebelles' under Montrose, as also an Act empowering the Committee of Monies to provide £4000 to reimburse their personal losses, and something more to enable them to replace their books which had been burned. — *Acts Parl. Scot.* vol. vi. pt. ii. pp. 422, 424, 732.

their accession to the Divisive Supplicatioun, Appoints them to be cited to the next Generall Assembly.

The Commission appoints Mr. George Halyburtoun be cited to the Generall Assembly, to answer for his accession to the Divisive Supplicatioun. Mr. George Halyburtoun in Angus.

The Commission to meet the morne at 10 heures.

*Edinburgh, 5 Junij 1649, ante meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. James Hamiltoun : Mr. Robert Traill : Mr. John Hamiltoun : Mr. Alexander Livistoun : Mr. Robert Young : Mr. John Knox at Boldoun : Mr. Andrew Auchinleck : Mr. David Auchterlonie : Mr. James Gutterie : Mr. Patrik Gillaspie : Mr. John Smith : Mr. Samuel Austaine : Mr. Mungo Law : Mr. William Oliphant : Mr. Walter Gregge : Mr. Alexander Dickson : Mr. John Knox : Mr. Hew Kennedy. *ELDERS*.—Whytbank : Mr. Alexander Colvill.

The Commission of the Generall Assembly, haveing seriously considered the Supplicatioun of Margaret Williamson, Doe earnestly recomend the supplicatioun to the honourable Estates of Parliament, and intreats their Lordships to take some effectuall course for her maintenance ; Appoints him that prayes to present this recommendation<sup>1</sup> to the Parliament. Margaret Williamsons.

The Commission of the Generall Assembly, haveing heard the report of Mr. Alexander Livistoun, from the Presbyterie of Bigger, concerning Robert Baillie of Walstoun and Christopher Baillie, their accession to the late vnlawfull Engagement, Doe remitt them both back to the said Presbyterie of Bigger, that, if they finde no further accession nor what they have already tried, they may receive their publick satisfaction, and admitt them to the Covenant and Communion. Remitt. Robert Baillie of Wolstoun and Christopher Baillie.

Concerning the Petition of Capitane David Litle and Robert Dune, bearing their sorrow for their accession to the late vnlawfull Engagement, The Comission doth refer them to the next Generall Assemblie. Captain David Little and Robert Dun.

<sup>1</sup> This was done forthwith. The supplication set forth that she had been reduced 'to ane verie deplacable and destitute estate' by her husband ejecting her from the house and acres in Cupar which had come to her by inheritance, and in which she was 'infest' conjointly with him, and it craved that while he continued to ignore the summonses of the civil and ecclesiastical authorities to restore her to her conjugal rights, she should have possession and usufruct of the house and acres. This was granted on 7th June, and on 12th July the magistrates of Cupar were empowered to carry it into effect.—*Acts Parl. Scot.* vol. vi. pt. ii. pp. 396, 479.



Reference—Sir John Weemes of Bogie to the Generall Assembly.

The Commission, haveing considered the Supplication given in by Sir John Weemes of Bogie, bearing his sense of his guiltines for his accession to the vnlawfull Engagement, Doe referre the farder consideratioun of the Supplication to the nixt Generall Assembly.

Jhon and Alexander Wallace and Robert Alexander.

The Commission, having considered the Supplication given in in behalfe of John Wallace of Ferguslie, and Allane Wallace his sone, and Robert Alexander, Baillie of Paislay, bearing their sence and sorrow for their accession to the late vnlawfull Engagement against England, As also the reference of the Presbyterie of Paislay concerning them, Doe therefore referre the said Allane and John Wallaces to the nixt Generall Assembly, and Doe remitt the said Robert Alexander to the said Presbyterie, that they may take such course with him as they thinke most expedient.

The Commission appoints Mr. James Guthrie to pray to the Parliament the morne.

The next meeting of the Comittee at tuo houres, and of the Comission at three houres.

*Eodem die, post meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. James Hamiltoun : Mr. Samuell Austaine : Mr. Patrik Gillaspie : Mr. John Knox at Boldoun : Mr. Thomas Donaldson : Mr. John Knox at Carrington : Mr. Mungo Law : Mr. Walter Gregge : Mr. Alexander Dickson : Mr. John Smith : Mr. James Gutterie : Mr. George Leslie : Mr. Andro Auchinleck : Mr. Robert Young : Mr. Hew Kennedy : Mr. Alexander Livistoun : Mr. Thomas Vassie : Mr. George Hutcheson : Mr. Robert Traill : Mr. William Row : Mr. William Oliphant. *ELDERS*.—Lord Craighall : Whytbank : Mr. Alexander Colvill.

Deposition of Mr. Edward Richardstone.

The Commission of the Generall Assembly, having considered the report of the Presbyterie of Perth concerning Mr. Edward Richiesone, and haveing heard Mr. Edward him selfe, personallie present, Finds that he, in a verie vndecent way, on the Lords day appointed for renewing of the Covenant, did only sweare the same himselfe, and did not admitt the people to their swearing thereof, and that he dranke bareheaded to the good success of the vnlawfull Engagement, and that he did not registrat the Presbyteries Reference concerning the Divisive Supplications, being Clerk ; That he is guiltie of frequent

lyeing, namelie, of denyeing what he had formerly confest, in the matter of drinking to the success of the vnlawfull Engagement, and the particulars concerning Mr. Andro Playfoords subscribing the Comission to the Generall Assemblie, and denying the particular concerning the haveing of Robert Grahames writts, whilks were found thereafter in his hands ; Therefore doe finde the said Mr. Edward worthie of deposition, and doe depose him from the function and all exercise of the Ministerie *simpliciter*, Declareing his Kirk of Forteviat to be now vaiking ; And appoints Mr. William Bell to intimat this sentence the first Sabbath after advertisement in the said Kirk of Forteviat ; And recomends to the Presbyterie the planting of that Kirk with diligence.

The Commission appoints a letter to be written to the toun of Perth, to be sent with diligence, for provyding that toun with a third Minister.

‘RIGHT WORTHIE AND MUCH RESPECTED,—It hes been often recomended to yow, to have a special care of provydeing a third Minister to your toun and congregatioun, in respect of the greatnes of that charge. Wee doe not hear anything done effectuellie in it as yet, but rather to the contrarie that it is neglected. We doe therefore earnestly recomend to your care, to goe about it seriouslie and diligentlie, as yow will answer to the next Generall Assembly, quhilk is all we have to say, Remaining,

Yours in the Lord to be commanded,

Edinburgh,  
5 Junij 1649.

THE COMMISSIONERS  
OF THE GENERALL ASSEMBLY.’

Direct :—‘*To the right worthy and much respected The Provost, Baillies and Counsell of the toun of Perth.*’

Concerning Mr. George Halyburtoun, Minister at Perth, the Comission Refers him to the Presbyterie of Perth, for triall in his accession to the Divisive Supplicatioun, wherein the Presbyterie is to proceed by examinatioun of witnesses, and of the said Mr. George himselfe, and in all other things necessarie for exact triall, and to report their diligence to the next Generall Assembly ; Recomending also to the Presbyterie to trie any other of their number, that have had anie accession to the said

Divisive Supplicatioun, and to make report thereof to the said Assembly, And that they warne the said Mr. George, or any other persons they find needfull, to appear before the said Assembly for the effect aforesaid.

The Comission, having considered the report of the Presbyterie of Ersiltoun, concerning John Wilkieson of Morieson, Doe refer him back to the said Presbyterie for farder triall, and to doe all they thinke expedient; And concerning John Broune, the Comission Refers him to the said Presbyterie, to be admitted to the Covenant and Comunion after publick satisfaction.

The nixt meeting the morne at 10 houres.

*Edinburgh, 6 Junij 1649, ante meridiem.*

*Sederunt:—MINISTERS.*—Mr. Robert Douglas, *Moderator.* Mr. John Hamiltoun: Mr. John Knox at Caringtoun: Mr. John Muncreiff: Mr. Robert Young: Mr. William Row: Mr. James Gutterie: Mr. Hew Kennedy: Mr. David Auchterlony: Mr. Patrik Gillaspie: Mr. William Oliphant: Mr. Alexander Dickson: Mr. Thomas Donaldson: Mr. John Knox at Boldoun: Mr. Andro Wood: Mr. John Adamsone: Mr. Thomas Vassie: Mr. Alexander Livistoun: Mr. James Hamiltoun: Mr. Andro Dunkisone. *ELDERS.*—Mr. Alexander Colvill: John Boiswall.

Recommendation—Petition of Innerask to the Parliament.

This day a Supplicatioun given in by the Minister and remanent Comissioners, appointed by the heretors within the paroch of Innerask, desireing the Comission to assist their supplicatioun, to be presented to the honourable Estates of Parliament, for divyding the parochine of Inneraske, and erecting of Mussilburgh and Fisherraw in a paroch be itselfe; The Comission doe finde this a pious motion in the heretors, and therefore doe appoint Messrs. James Gutterie, James Hamiltoun, Mungo Law, John Muncreiff, Robert Traill, George Hutchesone, Whytbank, Mr. Alexander Colvill, John Boiswall, with the Moderator, to assist the said Supplicatioun.

Appoyntment of ministers to preach to the Parliament.

The Commission of the Generall Assembly, being now to dissolve, Considering the necessitie of appointing some Ministers to preach to the honourable Estates of Parliament, that according to former practises the brethren of the nixt adjacent Presbyteries should performe that duty, Therefore doe appoint the brethren following to preach to the Parliament in the Parliament House, viz., Messrs. Hew Mackaell and Robert Traill in the Presbyterie of Edinburgh, to preach the nixt Sabbath, the 10th of this instant; Messrs. John Durie and

John Wauch in the Presbyterie of Lynlithgow, vpon the nixt Sabbath thereafter, the 17th of this instant; Mr. John Hog in the Presbyterie of Edinburgh, and Mr. George Bennet in the Presbyterie of Bigger, vpon the nixt following Sabbath, being the 24th instant; Messrs. Mungo Law and William Dalgleish in the Presbyterie of Edinburgh, vpon the first Sabbath of Julij, being the first of that moneth; Recomending to their severall Presbyteries to see this order observed, and to supplie their brethrens charges in their absence vpon this employment.

This day a Supplication given in by Mr. David Acterlony, Minister, desiring the Comission to assist the Supplicationoun to be presented to the honourable Estates of Parliament for erecting a new kirk, in respect of the incomodious situation of Kilmadock and Kincairne; The Commission doe seriously recomend the same to the Parliament, And appoints the brethren, that assist the petition of the parochiners of<sup>1</sup>, to assist this petition.

Recommendation for a new kirk in Kilmadock and Kincarn.

The nixt meeting at tuo houres.

*Eodem die, post meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. John Hamiltoun: Mr. Hew Kennedie: Mr. James Gutterie: Mr. Thomas Vassie: Mr. David Auchterlony: Mr. Robert Young: Mr. John Knox at Boldoun: Mr. John Knox at Caringtoun: Mr. Andro Dunkison: Mr. Mungo Law: Mr. James Hamiltoun: Mr. John Weir: Mr. John Muncreiff: Mr. Alexander Dickson: Mr. William Oliphant: Mr. William Row: Mr. Andro Wood: Mr. Robert Traill: Mr. Walter Gregge: Mr. Alexander Livistoun: Mr. Patrik Gillaspie: Mr. Thomas Donaldson. ELDERS.—Mr. Alexander Colvill.

The Commission, haveing considered the Supplication given in John Barron. be Mr. John Barrone,<sup>2</sup> bearing some expressions of greiff for not

<sup>1</sup> Blank in MS., probably Inneraske or Inveresk. The supplication of the parish of Inveresk, as well as that of the parishes of Kilmadock and Kincardine, with the recommendations of the Commission in their favour, were duly considered by the Parliament on 7th June, and seriously recommended to the favourable consideration of the 'Committee for the Plantacion of Kirks.'—*Acts of Parliaments of Scotland*, vol. vi. pt. ii. pp. 394, 400.

<sup>2</sup> Mr. John Barrone, Principal of St. Salvator's College and minister of Kemback, had been suspended from his ministry by the Assembly of 1648, and by the Commission for visitation of the University of St. Andrews from his office as Principal; and, anticipating further process, he gave in a demission of his office

giving informatioun to his people anent the vnlawfulness of the Engagement, In respect there are sundry scandalls depending before the Sub-Committee of the Visitation of the Vniversitie of St. Andrewis is<sup>1</sup> not yet cleared, and that the Generall Assembly is now approaching, Doe therefore refer the said Mr. John to the nixt Generall Assembly.

The Commission appoints the letter following to be written to the Presbyterie of Stranrawer, That the process depending against James Rosse of Balneill may be closed :—

James Rosse of  
Balneill.

‘REVEREND BRETHREN,—James Rosse of Balneill, whom we remitted to yow, hes presented to ws an account of your procedour with him vnder your clerks hand, whereby we perceeve yow have not yet closed his process ; And certanlie, whether he be guilty or not, or how far so ever he be guilty, it is a great prejudice to him that the processe is not closed. Wherefore we advyse yow to finish his process by your selves speedily ; at least let it be prepared against the nixt Generall Assembly, so that he sustaine no farder prejudice, nor yee questioned for vnnessessar delays. This is advised and ordained by

Your Loving Brethren,

Edinburgh, this  
8th Junij 1649.

THE COMISSIONERS  
OF THE GENERALL ASSEMBLY.’

Direct :—‘ *To their Reverend Brethren, The Presbyterie of Stranrawer.*’

The nixt meeting of the Comission the morne at 10 houres.

*Edinburgh, 7 Junij 1649, ante meridiem.*

*Sederunt :—MINISTERS.*—Mr. Robert Douglas, *Moderator.* Mr. John Adamson : Mr. Hew Kennedy : Mr. John Knox at Boldoun : Mr. David Achterlony : Mr. Andro Wood : Mr. James Gutterie : Mr. Robert Traill : Mr. John Knox at Caringtoun : Mr. Alexander Livistoun : Mr. William Row : Mr. Andro Dunkison : Mr. John Muncreiff : Mr. Thomas Wassie : Mr. James Hamiltoun : Mr. William Oliphant : Mr. Robert Young : Mr. George Lealie : Mr. George Hutchesone. *ELDERS.*—Sir James Hacket : Inglishtoun : Mr. Alexander Colvill : John Boiswall.

to a sub-committee of the visitors, earnestly entreating them to deal with the Commission for a competent maintenance to him during his lifetime. This they promised to do. The office was not filled up till 1657.

<sup>1</sup> Probably should be *and*.

The Commission appoints the letter following to be sent to Mr. Robert Blair, for preaching to the next Assembly :—

Letter to Mr.  
Robert Blair.

‘REVEREND AND LOVING BROTHER,—Yee know by the removeall of our Reverend Brother, Mr. George Gillaspie, Moderatour of the last Assembly, It falls vpon the two Moderatours of the two imediatly preceeding Assemblies to preach to the next Assembly; Therefore we thought it fitt to remember yow, who was Moderatour of the Assembly 1646, for preparing your self to preach on of the dyets, as Mr. Robert Douglas, who was Moderatour of the Assembly 1647, is desired to be [to preach] the other dyet, which expecting yee will not fail,<sup>1</sup> We remaine,

Your Loveing Brethren,

Edinburgh, this  
7th Junij 1649.

THE COMISSIONERS  
OF THE GENERALL ASSEMBLY.’

Direct:—‘*For their Reverend and Loving Brother, Mr. Robert Blair, Professour of Divinity at St. Andrews.*’

This day Mr. Walter Comerie called and not compearing, The Commission therefore being now to dissolve, Doe referre the matter concerning his disobedience to their former Ordinance for transporting to Inneraray, and to this last appointment for his appearing here, to the next Generall Assembly; And appoints Mr. Walter to be cited to the Assembly to answer to the premisses.

Reference.  
Mr. Walter  
Comrie to the  
Generall  
Assembly.

The Commission appoints the Acts concerning incest and adulterie, with the table of the degrees of incest,<sup>2</sup> Together with the other Acts to be presented to the Parliament, As also the Remonstrance and Petition following, And appoints the Ministers of Edinburgh and any other of the Members of the

Overtures  
against incest  
and adulterie.

<sup>1</sup> But Baillie tells us (*Letters*, vol. iii. p. 91) that ‘Mr. Blair, never thorough weell since his English journey [1648-9], was not able to come to Edinburgh.’

<sup>2</sup> The Act ‘for punishing with death the horrible crime of incest,’ ‘not only in any of these degrees which God’s word hath expressly forbidden,’ but also in ‘any other degree either neerer or fully as neer in affinity or consanguinity,’ was passed on 7th July 1649, and, along with a detailed table of all these degrees, will be found on pp. 475, 476 of the volume of the *Acts of Parliaments of Scotland* so often referred to.

Comission to present the same. Tenor of the Remonstrance and Petition follow:—

*‘The Humble Remonstrance of the Comission of the Generall Assembly to the Honourable Estates of Parliament.*

Remonstrance  
to the Parlia-  
ment.

‘After that the Lord had broke the yocke of our oppressours from of our necks, and putt it into our hearts, with solemn acknowledgment of publik sins, to renew our Covenant, and againe to ingage ourselves to all the dewties contained therein, namely, those which doe in a more speciall way relate vnto the dangers of these times, It was the hope and expectatioun of all that fear God in the land, that oppression, whether by masters and heretors, or by officers and souldiers, should have ceased ; and that our Army sould have been made vp, and consisted of such persons as that we needed not anie more to fear the Lords wrath because of their abominatiouns, nor that we should againe be betrayed vnto our adversaries by the Malignancie of disaffected men. Bot, notwithstanding of all the sharpe rods wherewith the Lord hes formerly corrected ws because of these things, and of all His mighty hand and stretched out arme for our delyverance, and of all our vowes and promises to reforme our wayes, and doe no more so, there is still cause to complaine, that these evils doe abound in the land and in our Armie, and are come to such a hight, as that the poore crie out for bitterness of spirit vnder great and sore oppression, and the hearts of all the godly are grieved, and their faces ashamed becaus of the sadd reproach, that cumes vpon the Cause of God, from the insolencie and profanity of manie [of] those who are imployed as the meanes of our defence. We cannot but represent unto your Lordships, that the burden of the commons and tennents is made greater then they are able to bear ; for, besides all the straits which they are redacted vnto by the scarsity and dearth of victuall, and the charges and expensses of puting out of foot souldiers, and many other things which cannot be avoided, and at which they doe not repine, They are in many places constrained to pay the monethly maintenance in whole or in part, and to bear the burden of the whole levie, horse and foot, and also of the quarterings of the souldiers, at the rate of halfe a crowne a day, or any thing that the covetous humor of in-

solent oppressing men is pleased to impose and exact, in dyet or moneyes, and have litle or no thing allowed vnto them by most of their masters, in recompence of all these things; and in some places tennents, who have injoyed their possessions for manie yeares, are violently thrust out by their masters, because of their good affection to the Cause, and others, who are Malignant and disaffected, settled in their habitations, which are certified by informatiouns given in to vs from diuerse parts of the countrey. These things, as they make the lives of the comons bitter vnto them, and may alienate their hearts, and estrange their affections from the worke of God, and from the present Government, so are they like at last to render the land desolate and forsaken of her inhabitants; and whilst they are not corrected, and effectuell remedies provyded for them, are the guiltines and sine of your Lordships and such as rule in the land, which God will visit with publick judgements, if not repented of and amended. And therefore, that the cry of the poore and oppressed may not assend vnto the heavens, we lay their conditione and vnsupportable burdens before your Lordships, beseeching and exhorting yow, in the bowells of Jesus Christ, to pitie their case, and speedily take care that their faces be not grinded, nor their lives made bitter to them any more by any sort of oppression, either from their maisters or from souldiers, and that yow will moderate their burdens in all things, that their bowells may be refreshed by taisting the sweet fruits of your Government.

‘We hold it our dewtie also to represent vnto your Lordships the present condition of our Armie, by reason of the Maligancie, insolence, and profanity of many that are members thereof. It grieues our soules, and we are almost astonisht to thinke of the blasphemies, contempt of the worship of God, reproaches of the caus and servants of God, and all the godly and well affected in the land, and of the Malignant and disaffected, and profane and scandalous speeches and cariage that abound therein, and of the many outrages and insolencies that are committed by souldiers vpon the people of the countrey, by mutilating of some, wounding of others, ravishing of women, plundering of houses, spoyling of goods, exacting of moneyes, destroying of victuall, and forcing the people to provyde im-



moderate and excessive faire, and many other exorbitancies, in reckoning of which we have not delite, but that we are pressed thereto, by the severall informationes that come to our hands by the testimony of Ministers and otherwise. It is acknowledged, and beyond contradiction, that Malignancy and profanity and oppression reigne and abound in the Army. Wee shall not much search into the causes of these things, and how, after the doolefull experience of most sadd consequents of the prevailing power of such evils in our Army of before, and vpon the back of professed repentance, and Covenanted Reformation, it hath so soone come to be thus. Whether the love of money and carnall confidence, which made the rules prescribed by the Committee of Estates, and by the Comission of the Generall Assembly, concerning the qualificatioun of officers and souldiers,<sup>1</sup> hath not had influence vpon all this, we leave it to your Lordships, and to those whom it concerns, to examine and judge. But, whatsoever hath been the cause, it is high tyme for your Lordships to see to the remedy, and how the Army may be purged. We know that such a work will not want objections, as that which will be attended with many difficulties and misvnderstandings, and reflexions and discontentments and inconveniencies of sundrie sorts, it being ordinary for Satan to scar men from important and necessary dueties with such affrightments, which yit, when tryed, are not found so great as men at first apprehended, the Lord in mercie provyding against dangers, and giving issue in difficulties, when men out of conscience follow Him in doing of their duetie. But, to say nothing that all those inconveniences, if anie be, are meerelie politick, and, for most part, but the fruit of mens corruption, repining vnjustly against others when they doe their duetie, and far short even of the politick and civill advantages, such as the easing of the burdens of the countrey, the endearing of the hearts of the people to these that are in autoritie, and the reall securing of the Kingdome, both from intestaine and forraine dangers and enemies, that will follow vpon the samen, We shall desire these inconveniences, which are of a higher

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<sup>1</sup> *be neglected.* These or similar words are here required to complete the sense.

nature, to be considered on the other side, if the Army be not purged.

'1. Wee shall sin exceedingly against God by neglecting so necessarie a duetie, to which we have in so solemn a way lately ingaged our selves before all the world, and our sinne shall be so much the greater, becaus we made publick confession of this very thing, to the Malignancie, loosnes, and profanity of many in our Armies, as that which was a maine cause of all the evils that came vpon ws. 2. The neglecting of this duetie which<sup>1</sup> exceedingly greeve the hearts and weaken the hands of all Gods people, whilst they, who should be the instruments of their defence, shall be their plague by oppressions and plunderings, and that they shall see them such as God will not countenance, nor blesse in battell. 3. It will be verie dishonourable to God, and a great reproach vpon the Gospel and worke of Reformatioun in the land, to suffer Malignant and profane men to manage His matters. 4. It will imbolden and incourage Malignants, as haveing hopes of a partie in our owne Armie, and harden them in their evill way, when they see that there is no difference betuixt Instruments vpon their side and vpon ours, and give them just ground to reproach and speak evill. 5. It will estrange the hearts and affections of the comons from those that are in autoritie, and at last bring them in dislike with the Covenant and cause of God. 6. It will discourage all those in the Armie that are truelie tender, and desire to live soberly, and righteously, and godlie, and make them to disert the service. 7. It will expose the whole cause and Kingdom to exceeding great danger, becaus there is no confidence nor trust to be put in such ; But it is much to be feared, that they shall fall of to the adversarie, as sad experience hath already taught ws. 8. It will spoile our Armie of the Lords protection and countenance, and expose both them and the whole land to His indignatioun and wrath, as experience hath also taught ws. Besides all these inconveniences, and many other that are important and weightie, all the advantages and blessings, that are opposit to these, will follow the faithfull and effectuall doing of the duetie ; And therefore we doe exhort

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<sup>1</sup> *Sic* in ms. for *will*.

and obtest your Lordships, from the remembrance of all the Lords rods, and of all the evils and miseries, whereof corrupt souldiers hes been authors vnto this poore land, and from your owne solemn acknowledgment of publik sins and ingagement vnto dueties, and from the deliverances where[with] the Lord hath lately visited the land, and from the respect yow carie to the poore, and as yow tender the security of the Kingdom and of Religion, and regard the honour of God and of His Sone Jesus Christ, that without delay yow will set your selves to the remedy of so great and dangerous an evill. We are farre from any purpose of innovating anything, or intending to have any man removed, that hath deserved well of his countrey and the publick Cause, manie of which be in the Armie, to whose integrity and good cariage we cannot but bear testimony. We point at none but such as are reallie Malignant or openlie profane and scandalous. We have at severall times heretofore represented these things vnto your Lordships, and now perceiving the evill to growe, we could not but exoner our consciences, and leave it with your Lordships, who, we trust, before it turn to a gangeren, and becum incurable, will take such course with it as that we shall need to say no more, but to blesse the Lord for your Lordships and for the fruits of your Government in the land.<sup>1</sup>

Petition to the  
Parliament.

*‘Vnto the honourable Estates of Parliament, the Humble Supplication of the Comission of the Generall Assembly.’*

‘Albeit we know that your Lordships have a tender regard to the condition of the comons and poore in the land, and that yee will, of your owne accord, carefullie provide for the meanes of their subsistence, in a tyme of such penurie and so high rates of victuall, yet the compassion which we have of their case, and of the great straits that manie of them and their families are redacted vnto for want of bread, together with their owne cries vpon ws, and the complaints which they daylie poure forth

<sup>1</sup> In consequence of the above earnest remonstrances of the Commission, the Parliament on 21st June 1649 passed an ‘Act for purging the Armie,’ and on 5th July an ‘Act for Redress of the complaints and grievances of the People against Masters, Officers, and Souldiers.’—*Acts of Parliaments of Scotland*, vol. vi. pt. ii. pp. 446-7, 464-6.

in our bosoms, necessitat ws humblie to supplicate and earnestlie to desire your Lordships, that yow will take speedie course that no victuall may be kept vp, forstalled within the Kingdom, nor transported out of any part of the Kingdom; And that an accurat and effectuall order be established at all seaports, and at the borders and other places, for preventing these inconveniences, which we intreat your Lordships to looke the more carefully vnto, becaus, notwithstanding of any former order, victuall hes been transported lately out of Prestoun and other places; And that your Lordships will also be carefull to provide how victuall may be imported from abroad, and sold at a reasonable rate, and how the poore that are not able to winn may be provided therewith. So shall their bowells blesse yow, and we shall pray that the publick affaires of the land may prosper in your hand, and that your Government may be blessed of God.'

The Commission appoints the reports of the corrections of Rouse Paraphrase of the Psalmes to be delyvered in to the clerk, that he may lend them out to Mr. John Adamsone, to be considered against the nixt Assembly. Rouse para-  
phrase.

The Commission appoints the Lord Ogilvy and Midletoun to be cited to appear before the nixt Generall Assembly, to answer for their accession to the late rebellion in the North, and for their vther miscariages. Lord Ogilvie  
and Middle-  
toun.

The Commission thinke fitt now to dissolve, and not to meet againe, in respect of the nearnes of the dyet of the Generall Assembly, except there be some great necessitie occurring before that tyme, in which case the Moderator is to send the Brethren adverteisment.

A. KER.

*Edinburgh, 7 July 1649, ante meridiem, Sessione 4.*

'Approbation of the Proceedings of the Commissioners of the Generall Assembly.

'The Generall Assembly, having heard the Report of the Committee appointed for revising the proceedings of the Commissioners of the preceding Assembly, And finding thereby, that in all their proceedings they have been zealous, diligent, and faithfull in the discharge of the trust committed to them,

Do therefore vnanimously Approve and Ratifie the whole proceedings, Acts, and Conclusions of the said Commission; Appoints Mr. John Bell, Moderator *pro tempore*, to returne them heartie thanks, in the name of the Assembly, for their great pains, travels, and fidelity.<sup>1</sup>

MR. JOHNE BELL.'

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<sup>1</sup> The subjoined note contains the Assembly's Act of 'Approbation of the Commissioners sent to His Majesty,' though, as mentioned in a previous note, their negotiations had proved unsuccessful. '*July 10, 1649, ante meridiem. Sess. vi.* : The Generall Assembly, having taken in serious consideration the Report of the Travells and Proceedings of the Commissioners sent to his Majestie presented by them this day, Together with the Commission and Instructions which were given to them, Do finde by the Report, that they have been very diligent and faithfull in the discharge of the Trust committed to them; And therefore do unanimously Approve of their carriage, and return them hearty thanks for their great pains and Travails in that employment.'—Peterkin's *Records of the Kirk*.

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**THE ACTS AND PROCEEDINGS  
OF THE COMMISSION OF THE  
GENERALL ASSEMBLY HOLDEN  
AT EDINBURGH IN THE YEIR  
1649**



## THE COMMISSION GRANTED BY THE LATE GENERALL ASSEMBLY.

*Edinburgh, 4 Augusti 1649, ante meridiem,  
Sessione 40.*

### RENOVATION OF THE COMISSION FOR THE PUBLICK AFFAIRES OF THE KIRK.

The Generall Assembly, considering how necessary it is for preservation of Religion in this Kingdom, and prosecution of the work of Vniformity in all his Majesties dominions, That the Comissions formerlie granted to that effect be renewed, Therefore they doe renew the power and Comission granted for the publick affaires of the Kirk by the Generall Assemblies held at Saint Andros 1642, and at Edinburgh 1643, 1644, 1645, 1646, 1647, and 1648, vnto the persons following, viz.:—Masters Alexander Rollock, John Murray, Thomas Lundie, John Freebairne, George Murray, Harie Livingston, William Macjore, Hew Henderson, Samuel Austine, Gavine Young, David Laing, William Maxwell, John Macceleland, James Erving, Robert Ferguson, John Scott, Thomas Wyllie, Hew Eccles, John Bell, John Nevoy, William Guthrie, John Hamiltoun, Hew Peebles, Alexander Dunlope, Harie Semple, David Dickson, Patrik Gillespie, James Durhame, Robert Baillie, William Hamiltoun, Francis Aird, James Nasmith, Richard Inglis, William Summervail, Evan Cameron, Robert Blair, Samuel Rutherford, James Wood, John Macgill, elder, Alexander Balfoure, William Row, John Moncreiff, Fredrick Carmichaell, Harie Wilkie, William Oliphant, George Pitillo, John Robeson, James Thomeson, William Rate, David Campbell, Andro Cant, John Menzes, Andro Abercromby, Robert Sheyn, William Forbes, John Paterson, Duncan Forbes, William Chalmers, John Annand, William Falconer, Murdoch Mackenzie, Robert Jameson, Gilbert Marshall, John Dallase, William Smith, Robert Home, Thomas Suinton, James Stra-



toun, John Douglas, James Guthrie, Thomas Donalson, William Jameson, John Livingstoun, John Scott, Andro Dunkeson, John Dalzell, Arthur Forbes, James Fleeming, James Robieson, Hew Campbell, Robert Douglass, Mungo Law, George Leslie, John Adamson, James Hamiltoun, John Smith, Hew Mackell, George Hutcheson, Patrik Feeming, John Hay, Ephraim Melvill, John Row, Gilbert Hall, George Bennet, Kenneth Logie, John Craford, *Ministers*: Archbald, Marquesse of Argyle, [John] Earle of Sutherland, Alexander, Earle of Eglingtoun, John, Earle of Cassills, William, Earle of Lothian, Archbald, Lord Angus, the Vicount of Arbuthnet, David, Lord Elcho, [George] Lord Brichen, Robert, Lord Burley, James, Lord Couper, Sir Archibald Johnstoun of Wariestoun, Clerk Register, Sir Daniel Carmichael, Thesaurer Depute, Sir John Hope of Craighall, Mr. George Winrhame of Libbertoun, Mr. Alexander Pearson of Southhal, Alexander Brodie of that Ilk, four of the ordinary Lords of the Session, Arthur Erskene of Scotsraige, Laird of Wauchtoun, Sir David Home of Wedderburn, Laird of Edzell, Laird of Nidrie, Sir William Scott of Harden, Laird of Greenheid, Laird of Freeland, Laird of Cessnock, Sir James Stewart of Kirkfeild, the Laird of Swintoun, younger, Laird of Eight, Sir James Fraser, Sir Thomas Ker, Laird of Fernie, Sir Robert Adair, Sheriff of Teviotdale, younger, Tutor of Pitsligo, Sir John Chiesly, Laird of Englistoun, Laird of Leslie, younger, Laird of Dumbeth, Laird of Wattertoun, Sir John Smith, Mr. Alexander Colvill of Blair, Whytbank, younger, Laird of Grenock, Galloscheills, younger, Buchchantie, Crachlaw, Clobberhill, Dalserfe, Mr. Robert Burnet, younger, Mr. Thomas Murray, James Eleis, David Kennedie, Alexander Jaffray, James Sword, George Porterfield, Mr. Robert Barclay, Hew Kennedy, William Glendonning, Thomas Macbirnie, Robert Lockhart, Mr. James Campbell, John Carsoone, John Boswell, Doctor Alexander Douglas, Mr. Alexander Skeen, William Browne, *Elders*: Giving vnto them full power and comission to doe all and everie thing for preservatioun of the established Doctrine, Discipline, Worship, and Government in this Kirk, against all who shall endeavour to introduce anything contrary therevnto; and for prosecuting, advancing, perfecting, and bringing the worke

of Vniformity in Religion in all his Majesties dominions to a happy conclusion, conforme to the former commissions granted by preceeding Assemblies thereanent.

And to that effect appoints them, or any nynteen of them, whereof 13 shall be Ministers, to meet in this city tomorrow, the 7 of this instant, and thereafter vpon the second Wednesday of November, February, and May next, and vpon any other day and in any other place they shall thinke fitt: Giving also vnto them full power to send Commissioners to the Kingdom of England, for prosecuting the Treatie of Vniformity as they shall find conveniencie, and to give instructions and commissions to that effect, conform to former commissions granted thereanent; And likewise, in case delinquents have no constant residence in any one Presbyterie, or if Presbyteries be negligent or overawed, in these cases The Assembly gives to the persons before named power of censuring compliers and persons disaffected to the Covenant, according to the Acts of the Assembly, Declaring always and providing that Ministers shall not be deposed but in one of the quarterlie meetings of this Commission: And further authorizes them, as formerlie, with full power to make Supplicationous, Remonstrances, Declarations, and Warnings, to indict Fasts and Thanksgivings, as there shall be cause, to protest against all encroachments vpon the liberties of the Kirk, and to censure all such as interrupt this Commission, or any other Church Judicatorie, for the execution of their censures, or of any other Sentences or Acts issuing from them: And with full power to them to treat and determine in the matters referred vnto them by this Assembly, as fullie and freely as if the same were here fully expressed, and with as ample power as any Commission of any former Generall Assemblies hath had or been in vse of before: Declaring also that all opposers of the authority of this Commission in matters intrusted to them shall be holden as opposers of the authority of the Generall Assemblie: And this Commission in their whole proceedings are comptable to and censurable by the next Generall Assemblie.

A. KER,

# THE ACTS AND PROCEEDINGS of the COMMISSION of the late GENERALL ASSEMBLY holden at Edinburgh in the moneths of Julij and August last 1649.

*Edinburgh, 7 Augusti 1649.*

*Sederunt*:—**MINISTERS**.—Mr. Robert Douglas, *Moderator*. Mr. Andro Cant: Mr. James Durhame: Mr. William Falconer: Mr. Ephraim Melvill: Mr. John Annand: Mr. John Freebairn: Mr. John Nevoy: Mr. John Murray: Mr. John Livingstoun: Mr. John Dallas: Mr. John Meinzie: Mr. Harie Livinstoun: Mr. George Pitillo: Mr. David Campbell: Mr. Robert Jamesone: Mr. Thomas Swintoun: Mr. John Dalzell: Mr. Hew Campbell: Mr. Mungo Law: Mr. David Laing: Mr. Francis Aird: Mr. Thomas Wyllie: Mr. William Rate: Mr. Robert Home: Mr. John McGill: Mr. Kenneth Logie: Mr. David Dicksone: Mr. Patrik Gillaspie: Mr. John Hamiltoun: Mr. Alexanner Dunlope: Mr. Evan Cameron: Mr. William Guthrie: Mr. Patrik Fleeming: Mr. John Hay: Mr. John Paterson: Mr. James Guthrie: Mr. John Moncreiff: Mr. George Murray: Mr. Harie Wilkie: Mr. James Thomesone: Mr. Duncan Forbes: Mr. William Smith: Mr. John Scott: Mr. Arthour Forbes: Mr. John Robesone: Mr. Robert Row: Mr. Thomas Lundie: Mr. John Maclelland: Mr. James Nasmith: Mr. Murdo Mackenzie: Mr. Gaven Young: Mr. Thomas Donaldson: Mr. Hew Eccles: Mr. James Hamiltoun. **ELDERS**.—*Thesaurer* depute: Wauchtoun: Wedderburne: Buchantie: David Kennedie.

Mr. Robert  
Douglas,  
*Moderator*.

After incalling vpon the name of God by Mr. Robert Douglas, *Moderator* of the late Generall Assembly, the names of the Commissioners being called, and the Commission read, the brethren proceeded to the choysing of a *Moderator*, and vnanimously elected the said Mr. Robert Douglas *Moderator* of this Commission in all the Sessions and meetings thereof.

The Commission recomends to the brethren appointed by the Generall Assembly for correcting the Psalmes to hasten their corrections, and so soone as they have done, that the *Moderator* convey the Commission, or a quorum of these that are nearest, to consider their travells, and prepare the matter against the quarterly meeting.<sup>1</sup>

<sup>1</sup> The Assembly before its rising, finding its Committee had not been able to bring to a conclusion the revision of the proposed new metrical Psalter, ordained

The Commission of the Generall Assembly, having considered the reference of the late Assembly to them for advysing Mr. John Menzies, Minister at Aberdene, to accept of the charge of a Professor of Divinity in the Vniversity there,<sup>1</sup> Doe advyse and require the said Mr. John, personallie present, to accept and embrace the faire calling he hath gottin to the said profession in the Vniversity of Aberdene, in respect of the guid abilities the Lord hath given him for that employment.

Advyse to Mr. John Menzies to be Professor of Divinity.

The Commission of the Generall Assembly, considering that Mr. John Livingstoun, Minister at Ancrum, is appointed by the late Assemblie to compile the history of these latter tymes,<sup>2</sup> Doe therefore appoint the Moderator, Mr. Robert Douglas, to give vnto him the sowme of ane thowsand merks, which were put in his hands by my Lord Humbie to be given to any that sould have the charge of collecting that historie, and these presentis shall be to the Moderator a sufficient warrant.

Warrant for delyverie—A thowsand merks to Mr. John Livingstoun.

The Commission appoints Mr. David Dickson, Mr. Andro Cant, Mr. James Gutterie, Mr. Patrik Gillaspie, Mr. James Durhame, with the Moderator, to confer with Mr. John Livingstoun vpon the best wayes for furnishing to him the materialls for the historie, and to be assisting to him in everie thing that may promote that work.

Comittee for the historie,

The Commission of Assembly, considering the power they have from the late Assembly to give a competent and honest acknowledgment and reward to the young man that hes been employed in wrytting of the severall copies of the Paraphrase of the Psalmes, corrected from time to time,<sup>3</sup> Doe therefore

Concerning the Wrytting the Paraphrase of the Psalms,

them after the dissolving of the Assembly 'to goe on in that worke carefully, and to report their travels to the Commission . . . at their meeting at Edinburgh in November,' and authorised the Commission 'after perusal and re-examination thereof to conclude and establish' it, and to issue it for public use.—*Peterkin's Records of the Kirk*, p. 553.

<sup>1</sup> See No. 242 in List of unprinted Acts of the Assembly.—*Records of the Kirk*, p. 559.

<sup>2</sup> In the List of unprinted Acts of the Assembly is one (No. 207) bearing the title, 'Act for collecting the history of these latter times.'—*Records of the Kirk*, p. 558.

<sup>3</sup> In the same List, No. 230, is 'Reference and Recommendation to the Commission for satisfying the paines of the writer of the paraphrase of the Psalms.'—*Records of the Kirk*, p. 558. In his account of Assembly 1648 Baillie says, 'The Assembly spent diverse sessions for small purpose upon transportations,

appoint the brethren appointed to revise that Paraphrase, who can best know his paines, to consider what shall be given vnto him, and to report their opinions therein to the nixt quarterly meeting.

The brethren present are earnestly desired to be present at the nixt quarterly meeting, or sooner, if they shall be required by the Moderator vpon any emergent occasioun.

*Edinburgh, 14 Novembris 1649.*

*Sederunt*.—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. James Gutterie : Mr. James Wood : Mr. Samuell Austaine : Mr. Patrik Gillaspie : Mr. William Row : Mr. John Livingstoun : Mr. George Hutcheson : Mr. James Fleeming : Mr. John Hamiltoun : Mr. James Hamiltoun : Mr. John Maghill, elder : Mr. James Stratoun : Mr. John Douglas : Mr. Arthur Forbes : Mr. James Robeson : Mr. John Dalzell : Mr. Patrik Fleeming : Mr. Gilbert Hall. *ELDERS*.—Earle of Lothian : Thesaurer Depute : Scotiscraige : Wauchtoun : Wedderburne : Greenock : Sir John Cheisly : Robert Lockhart : Mr. Alexander Colvill.

Advyce concerning James Hay of Linplumb to the Presbytery of Hadingtoun.

Concerning the Quære propounded by Mr. James Fleeming, what course to take with James Hay of Linplum, a Leivtennent Colonell to the late vnlawfull Engagement, to acknowledge his guiltines therein, and the sinfulness of the said Engagement, but cannot subscribe the Declaratioun of the late Generall Assembly in so far as relates to the League and Covenant, which he never subscribed, being out of the countrey in France when the same was taken, and never came to this countrey but shortly before the Engagement, The Comission thinks that the Presbyterie of Hadingtoun may receive and prescribe his publik acknowledgment, but that he need not be put to subscribe the said Declaratioun of Assembly, it not being competent to him who never subscribed the League and Covenant, but that he subscribe a particular Declaration of the sinfulness and vnlawfulness of the said Engagement, and that thereafter he subscribe the League and Covenant.

The nixt meeting the morne at 10 houres.

These I love daily worse. The most are evidently packed businesses little for the credit either of the transporters or transported.' He adduces several cases in confirmation and then adds, 'I think the disorder . . . will not be got helped till some honest men peremptorily refuse to obey, which I think some at last will do; especially since the filling of so many places is referred to the Commission . . . with a power almost arbitrary to neglect all the rules before appointed by General Assemblies for transportation.'—*Baillie's Letters*, vol. iii. p. 61.

*Edinburgh, 15 Novembris 1649.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. John Hamiltoun: Mr. Samuel Austaine: Mr. James Wood: Mr. William Row: Mr. Kenneth Logie: Mr. George Bennet: Mr. James Gutterie: Mr. John Scott: Mr. Arthour Forbes: Mr. James Robeson: Mr. Ephraim Melvill: Mr. Gilbert Hall: Mr. David Layng: Mr. Samuel Rutherford: Mr. Patrik Gillaspie: Mr. Thomas Wyllie: Mr. John Maghill: Mr. John Moncreiff: Mr. Robert Home: Mr. John Douglas: Mr. John Livingstoun: Mr. John Dalzell: Mr. James Fleeming: Mr. Patrik Fleeming: Mr. Robert Row: Mr. William Oliphant: Mr. George Leslie. *ELDERS*.—Earle Lothian: Angus: Burghly: Thesaurer Depute: Waughtoun: Wedderburne: Niddrie: Harden: Sir Thomas Ker: Sir John Cheisly: Greenock: Galloscheills: William Browne.

The Comission, for the better expedition in matters of Transportatioun, thinke fitt that this order be kept in tyme cuming. Order for proceeding in transportatiouns.

1. The suters of the transportatioun, when the summons is called, shall give in all their reasons and papers for the transportatioun, and the defenders, that is, the Ministers suited and his parochiners, are to give in at the same tyme all their reasons and papers against the transportatioun; and if a Presbyterie, or any vther claming interes, appear as pairties, and desire to be heard, their papers are also to be taken in.

2. But if the defenders be not ready, the Commission may assigne to them some short tyme to give in all the papers they mynd to vse; and in the meane tyme the papers given in be the persewers are not to be communicat to the defenders.

3. At the dyet assigned to the defenders they are to give in all their reasons and papers against the transportatioun without more delay.

4. When all papers are given in *hinc inde*, first the persewers papers, then the defenders, are to be read, and thereafter the persewers shall be admitted to speak by one, in name of the rest, in few words anything they wald say further in the matter; bot they may not repeat anything contained in their papers.

5. Then the defenders are, without repetition, to speak by word shortly anything they have further to say, the parochiners and the vther pairties appearing speaking by one of their number in name of the rest, to shune confusion; and the Minister suited speaking for himself, who is to have the last word.

6. This being done, the pairties are to remove, and the Commission to go on to the cognition of the matter, and not to receive or hear aine more by word or writ from either pairties, except the Comission find a necessity, for their further light and informatioun, to call any pairtie or persone to clear any thing dark or dubious.

Refusall of the  
transportatioun  
of Mr. David  
Forrett to Edin-  
burgh.

The Comission of the Generall Assembly, having heard the sumonds at the instance of the towne of Edinburgh for transportatioun of Mr. David Forrett, the said Mr. David, personallie present, and the Lord Balcarras, in name of the parochiners of Kilconquer, and having considered the papers given in by the said Mr. David and his parochiners, Doe find that the towne of Edinburgh sould not insist in the transportation of the said Mr. David, bot to desist and not to proceed further in the matter.

The nixt meeting at 2 afternoone.

*Eodem die, post meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. David Layng : Mr. John Hamilton : Mr. William Row : Mr. John Moncreiff : Mr. John Douglas : Mr. James Guthrie : Mr. John Livingstoun : Mr. John Dalzell : Mr. James Robesone : Mr. Hew Makall : Mr. George Hutchesone : Mr. Patrik Fleming : Mr. Ephraim Melvill : Mr. Samuell Austene : Mr. Thomas Wyllie : Mr. William Somervell : Mr. John McGill, elder : Mr. William Oliphant : Mr. Samuell Rutherford : Mr. Thomas Donaldsone : Mr. John Scott : Mr. Arthur Forbes : Mr. George Leslie : Mr. James Hamilton : Mr. Patrik Gillaspie : Mr. James Wood : Mr. Robert Row : Mr. Gilbert Hall : Mr. Kenneth Logie : Mr. James Fleming : Mr. George Bennet : Mr. Thomas Swintoun : Mr. Mungo Law. ELDERS.—Earle of Lothiane : Lord Angus : Lord Burghlie : Lord Register : Sir Daniel Carmichaell : Lord Brodie : Laird of Wauchtown : Laird of Wedderburne : Scotiscraig : Niddrie : Harden : Greenhead : Sir Thomas Ker : Sir John Cheislhie : Mr. Alexander Colvill : Whytbank, younger : Gallowscheills, younger : Mr. Robert Burnet, younger : William Browne.

Refusall of Mr.  
John Living-  
stoun his trans-  
portatioun to  
Edinburgh.

Concerning the sumonds of transportatioun at the instance of the towne of Edinburgh against Mr. John Livingstoun and the parochiners of Ancrum, the said Mr. John appearing personallie, and the Earle of Lothian, Shiriff of Tiviotdaill, and diverse vthers for the paroch of Ancrum, and John Binnie, Robert Foullis, Baillies, with the Ministers of Edinburgh and diverse vthers, appearing for the towne of Edinburgh, The Comission of the Generall Assembly, according to the power given to them by the late Assembly, having seriously considered

the reasons *hinc inde*, for and against the said transportatioun, and having heard pairties at length thereanent, Doe refuse the desire of the said towne of Edinburgh for the said Mr. John his transportatioun.

Considering the sumonds for transporting of Mr. James Guthrie, Minister at Lawder, to Stirling, the said Mr. James appearing personallie, and diverse of the paroch of Lawder, and John Short, Provost of Stirling, and diverse others of the said paroch of Stirling, and the reasons *hinc inde*, given for and against the said Mr. James his transportatioun, being seriously considered, The Comission of the Generall Assembly, according to the power given to them by the late Assembly, transports the said Mr. James Guthrie from Lawder to Stirling, and appoints him to remove and sette himself in the charge of the Ministerie in Stirling betuixt and the nixt quarterlie meeting.

Transportation of Mr. James Gutterie to Sterline.

The Commission appoints advertisement to be sent to Presbyteries of some fugitive witches, that they may be searched for according to the desire of the Synod of Lothiane; and that Presbyteries be desired to send in the estate of their kirks, and to endeavour to settle the provisions thereof, according to the desire of the letter from the Comission of Parliament for planting kirks.<sup>1</sup>

Advertisement to presbyteries concerning Witches and for the estat of Kirkes.

The Commission of the Generall Assembly, having considered the reference from the Presbyterie of Irwing concerning John Miller, Doe remitt the said John back to the said Presbyterie, that, vpon evidence of his repentance, they may receive him to publick satisfaction, according to the order prescribed.

Remittance—John Miller.

The Commission of the Generall Assembly vnderstands by the Lord Brodie that Generall Quarter Master Robert Innes

Reference—Quartermaster Innes to Elgine.

<sup>1</sup> The Act passed by the Estates of Parliament on 9th March 1649 for the abolition of patronage had provided that the surplus teinds in the several parishes should belong to the former patrons, they being bound, however, to pay to the respective incumbents not only the then existing stipend, but also 'such augmentation and provision of new stipends to one or more ministers . . . as the Parliament or Commission of Kirks shall think fit and appoint.' The Assembly, on 23d July 1649, had petitioned Parliament, *inter alia*, that the above provision of the Act 'be made effectual for the settlement of Ministers stipends in Kirks erected and necessary to to be erected,' and that for this purpose the meeting of the Commission for plantation of Kirks should be hastened. From the entry in the above minute it would seem to have issued requests to Presbyteries to supply the information requisite.



is so sick and infirme that he is not able to travell here, Therefore they doe refer him to the Presbyterie of Elgyne, that they may receive his satisfaction for his accession to the late vnlawful Engagement, according to the order prescribed.

Minister to  
Colonell Kers  
regiment.

The Commission of the Generall Assembly having considered the desire of Colonell Gilbert Ker for a Minister to his Regiment, Doe therefore appoint Mr. Gilbert Hall to attend the said Regiment for performing Ministeriall dewties to them for the space of three moneths, and that he repair thither with all diligence.

The next meeting the morne at 10 houres.

*Edinburgh, 16 Novembris 1649.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. John Hamiltoun : Mr. John Magill : Mr. John Moncreiff : Mr. Robert Home : Mr. John Douglas : Mr. John Livingstoun : Mr. Arthur Forbes : Mr. Patrik Fleeming : Mr. George Bennet : Mr. Gavein Young : Mr. John Scott : Mr. Samuell Rutherford : Mr. Mungo Law : Mr. Hew Makaell : Mr. James Hamiltoun : Mr. Samuell Austaine : Mr. David Layng : Mr. William Somervell : Mr. William Row : Mr. William Oliphant : Mr. Thomas Swyntoun : Mr. James Guthrie : Mr. John Dalzell : Mr. James Robesone : Mr. Ephraim Melvill : Mr. Kenneth Logie : Mr. Patrik Gillaspie : Mr. Georgie Leslie : Mr. Thomas Donaldsone : Mr. Gilbert Hall : Mr. George Hutchesone : Mr. Robert Traill : Mr. James Fleeming : Mr. Alexander Balfour. *ELDERS*.—Earle of Lothian : Lord Angus : Lord Burlie : Thesaurer Depute : Wedderburne : Niddrie : Harden : Greinhead : Sir Thomas Ker : Scotiscraig : Sir John Cheialy : Sir John Smith : Fairnie : David Kennedy : William Browne.

Recommendation for erecting a new kirk in Kircaldie.

Concerning the petition of diverse of the parish of Kircaldie for erecting a part of the landwart parish of Kircaldie in a distinct parish, the Comission of Assembly, having particular knowledge of the conveniencie of it for promoving the Gospell there, Doe therefore seriously recomend it to the honourable Comission of Parliament for planting kirks, and appoints Mr. Robert Douglas, Mr. James Hamiltoun, Mr. Mungo Law, and Mr. George Hutchesone to assist the matter before the said Comission for planting kirks.

Transportation—Mr. Kenneth Logie to Kircaldie.

Concerning the sumonds for transporting Mr. Kenneth Logie, Minister at Skirling, to Kircaldie, the said Mr. Kenneth appearing personallie, and Sir James Murray for the parochiners of Skirling, and the Laird of Bogie and vthers for the paroch of Kircaldie, and the reasons *hinc inde*, given for and against

the said Mr. Kenneth his transportatioun, being seriously considered, The Comission of the Generall Assembly, according to the power given to them by the late Assembly, transports the said Mr. Kenneth from Skirling to Kircaldie, and appoints him to remove and settle himself in the charge of the Ministerie in Kircaldie betuixt and the nixt quarterly meeting.

Concerning the sumonds of transportatioun at the instance of the parish of Dunce against Mr. Henry Rymer, and the said Mr. Henry appearing personallie, and the Laird of Muncreiff for the parochie of Karnbie, and the Laird of Wedderburne and William Home of Linthill for the parochie of Dunce, The Commission of the Generall Assembly, according to the power given to them by the late Assembly, having seriously considered the reasons *hinc inde*, for and against the said transportatioun, and having heard pairties at length thereanent, Doe refuse the desire by the said parochie of Dunce for the said Mr. Henry his transportatioun.

Refusall of the  
transportatioun  
of Mr. Henry  
Rymer to  
Dunce.

The nixt meeting at 2 houres in the afternoone.

*Eodem die, post meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. David Layng: Mr. John Hamiltoun: Mr. William Somervell: Mr. John Magill: Mr. John Moncreiff: Mr. Robert Home: Mr. John Douglas: Mr. John Livingstoun: Mr. John Dalzell: Mr. James Fleeming: Mr. Hew Makaell: Mr. Patrik Fleeming: Mr. Robert Row: Mr. Samuell Austene: Mr. Thomas Wyllie: Mr. Patrik Gillaspie: Mr. Samuell Rutherfordord: Mr. William Row: Mr. William Oliphant: Mr. Thomas Swintoun: Mr. James Gutterie: Mr. John Scott: Mr. Arthur Forbes: Mr. James Robiesone: Mr. George Hutchesone: Mr. Ephraim Melvill: Mr. George Bennet: Mr. Kenneth Logie. ELDERS.—Earle of Lothian: Lord Angus: Lord Burley: Thesaurer Depute: Laird of Wauchtoun: Wedderburne: Niddrie: Laird of Edzell: Sir William Scott of Harden: Laird of Greenheid: Sir Thomas Ker: David Kennedy: William Browne.

The Commission of the Generall Assembly, having considered the petition of Livetenent Colonell Jerdene, Doe refer and remitt the petitioner to the Presbyterie of Kircaldie, that, vpon evidence of his repentance for his accession to the late vnlawfull Engagement, they may receive him to publick satisfaction, according to the order prescribed.

Reference—  
Lewtennent  
Colonell Jarden  
to Kircaldie.

Concerning the sumonds of transportatioun at the instance of the towne of Lithgow against Mr. Alexander Livingstoun,

Refusall of the  
transportatioun  
of Mr. Alex-  
ander Liviston  
to Lithgow.

the said Mr. Alexander appearing personallie, and diverse of the parochie of Lithgow for that parochie, and the Lord Fleeming for the parochiners of Bigger, The Comission of the Generall Assembly, according to the power given to them by the late Assembly, having seriously considered the reasons *hinc inde*, for and against the said transportatioun, and having heard pairties at length thereanent, Doe refuse the desire of the said parochie of Lithgow for the said Mr. Alexander his transportatioun.

Refusall of the  
transportatioun  
of Mr. James  
Sharp to Edin-  
burgh.

Concerning the sumonds of transportatioun at the instance of the towne of Edinburgh against Mr. James Sharpe, the said Mr. James appearing personallie, and the Lord Balcomie and vthers for the parochiners of Craill, the Baillies and Ministers of Edinburgh and diverse vthers appearing for the towne of Edinburgh, The Comission of the Generall Assembly, according to the power given to them by the late Assembly, having seriously considered the reasons *hinc inde*, for and against the said transportatioun, and having heard pairties at length thereanent, Doe refuse the desire of the said towne of Edinburgh for the said Mr. James his transportatioun.

Committee for  
Orkney busi-  
ness.

The Commission appoints Messrs. John Livingstoun, James Guthrie, Samuell Rutherford, George Hutchesone, John Hamiltoun, James Wood, Patrik Gillaspie, John Moncreiff, William Jamesone, Hew Makell, James Hamiltoun, Marques of Argyle, Earle of Lothiane, Scotiscraige, Greinheid, Sir John Cheisly, with the Moderator, to be a Comittee to consider of the affaires of Orkney and Ireland, and to meet at the rying of this session, to appoint their nixt meeting thereafter from tyme to tyme.

Kirk of Lawder.

The Comission appoints some to speak to the Lord Balcarras, for speedy and convenient planting of the kirk of Lawder, viz., Messrs. Samuell Rutherford, James Wood, George Hutchesone, Patrik Gillaspie, Thomas Donaldsone, Earle of Lothiane, and Sir William Scott, with the Moderator. They are to meet amongst themselves first at the present rying of the session, and thereafter at their owne appointment.

Kirk of Lith-  
gow.

The Commission of Assembly, taking in consideratioun that some of the Congregation in Lithgow did object that the election of Mr. Ephraim Melvill to be Minister of Lithgow,

made by the Session of Lithgow, hes not been intimat to the Congregatioun, Doe therefore appoint and ordaine Mr. John Livingstoun and Mr. Gilbert Hall, to repair to Lythgow vpon the nixt Lords day, and preach there, and after sermon in the forenoone, to make publick intimatioun in face of the Congregatioun, that Mr. Ephraim Melvill is nominat by the Session to be Minister of the said Congregatioun, and to require all the members of the said Congregatioun, that have anything to object to the said election, to compeir, by themselves or their comissioners, before the Comission of the General Assembly, vpon Tuesday nixt, be ten a clock, to make the samen knowne to the said Comission, Declairing that if none compeir in the contrair, they will take their silence for a consent.

The nixt meeting the morne in the morning.

*Edinburgh, 17 Novembris 1649.*

*Sederunt:—MINISTERS.*—Mr. Robert Douglas, *Moderator*. Mr. John Livingstoun : Mr. George Leslie : Mr. John Dalzell : Mr. Alexander Forbes : Mr. William Row : Mr. Patrik Gillespie : Mr. Gavein Young : Mr. William Somervell : Mr. James Gutterie : Mr. George Hutchesone : Mr. George Bennet : Mr. Mungo Law : Mr. James Fleming : Mr. John Magill : Mr. Alexander Balfour : Mr. Thomas Swintoun : Mr. Robert Row : Mr. John Hamiltoun : Mr. John Douglas : Mr. David Layng : Mr. John Scott : Mr. James Hamiltoun : Mr. Ephraim Melvill : Mr. Thomas Lundie : Mr. James Wood : Mr. William Jamesone. *ELDERS.*—Earle Lothian : Lord Angus : Lord Burley : Thesawrer Depute : Laird Wauchtoun : Harden : Greinheid : Scotiscraige : Sir John Cheisley : Fairnie : William Browne : David Kennedy.

The Commission of the Generall Assembly, having considered the petition of James Merser of Adie, Doe refer the petitioner to the Presbyterie of Perth, to try the evidence of his repentance, and thereafter to receive him to publick satisfaction for his accession to the late vnlawful Engagement, according to his degree of guiltines and the order prescribed.

Reference—  
Laird Adie to  
Perth.

The Commission of the Generall Assembly, having considered the petition of the Earle of Kellie, Doe refer the petitioner to the Presbyterie of St. Androis, to try the evidence of his repentance, and thereafter to receive him to publick satisfaction for his accession to the late vnlawfull Engagement, according to his degree of guiltines and the order prescribed.

Reference—  
Earle of Kellie  
to St. Andrews.

The Commission refers the Lord Montgomery to the Committee

Lord Mont-  
gomrie.

for Orkney and Ireland's business, that they may confer with him, and report what sense they find into him of his accession to the late unlawful Engagement.

Transportation of Mr. Archibald Turner to North Berwick.

Concerning the transportation of Mr. Archibald Turner, Minister at Borthwick, to North Berwick, the said Mr. Archibald appearing personally, and the Lord Borthwick and others of the said parochie, and the Lord Angus and others for the parochie of North Berwick, and the reasons *hinc inde*, given for and against the said Mr. Archibald his transportation, being seriously considered, the Commission of Assembly, according to the power given to them by the late Assembly, transports the said Mr. Archibald Turner from Borthwick to North Berwick, and appoints him to remove and settle himself in the charge of the Ministerie at North Berwick, betwixt and the first of February next.

Commission concerning Mr. James Porteous.

The Commission of Assembly, having heard by the papers produced that Mr. James Porteous, Minister at Borthwick, is charged with insufficiency for the Ministerie, doe therefore thinke it fitt that a letter be written to the Presbyterie of Dalkeith, to give them notice thereof, and appoints Mr. James Hamiltoun and Mr. George Hutcheson to goe to that Presbyterie, and acquaint them particularly therewith. The tenor of the letter follows:—

Letter to Dalkeith concerning Mr. James Porteous.

‘RIGHT REVEREND,—Having this day heard some objections against the qualification of Mr. James Porteous, Minister at Borthwick, one of your number, we could not hear such things done in so publick a way but to give yow notice of it; Earnestlie recommending that yow will tak speciall tryall of the matter for the good of that Congregation, who complaine of it; And to this effect we have sent two brethren of our number, that they may more fullie present vnto yow what they heard here. Swa not doubting that out of your care for the good of the people of God, and out of conscience of that trust put vpon your selves, and for your brothers clearing and credit, yow will try and examine the matter, and doe accordingly, which is the desire of

Your loving brethren,

THE COMMISSIONERS OF THE GENERALL ASSEMBLY.’

Edinburgh, 17 November 1649.

The Commission of Assembly, having considered the petition of Andro Patersone, Doe refer him to the Presbytery of Hamiltoun to try the evidence of his repentance, and thereafter to receive him to publik satisfaction for his accession to the late vnlawfull Engagement, according to his degree of guiltines and the order prescribed, and recomends to the said Presbytery that they be carefull that he be secured from any danger whilk he apprehends he may incur in these parts.

Reference  
Andrew Pater-  
sone.

The Commission refers the matter concerning Colonell Home to the visitatioun of Duncce and Chirneside, giving them power to determine therein as they find reasonable.

Colonell Home.

The Commission appoints that the matter concerning the planting of the Provest of the Old Colledge of St. Androis, as also the matter of planting of Inneraray, be referrit to the Comittee appointed for Ireland, to be considered, and they to report their opinions.

Committee.

The next meeting vpon Monday at 8 houres in the after-noone.

*Edinburgh, 17<sup>1</sup> Novembris 1649, post meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. David Layng: Mr. William Somervell: Mr. James Wood: Mr. Robert Home: Mr. James Gutterie: Mr. William Jamesone: Mr. John Scott: Mr. James Robiesone: Mr. Hew Mackaell: Mr. Robert Row: Mr. Thomas Lundie: Mr. John Hamiltoun: Mr. Samuell Rutherford: Mr. John Moncreiff: Mr. John Douglas: Mr. Thomas Donaldson: Mr. Gavein Young: Mr. John Dalzell: Mr. James Hamiltoun: Mr. George Hutchesone: Mr. George Bennet. *ELDERS*.—Harden: Mr. Robert Burnet, younger.

Concerning the question tuiching these who were vpon the Engagement, and are received vpon their satisfaction, what is to be done concerning the admitting of them to Sessions, The Comission refers it to the Comittee to be considerit, and they to report their opinions.

The next meeting the morne at 10 houres.

*Edinburgh, 20 Novembris 1649.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Samuell Rutherford: Mr. George Hutchesone: Mr. James Hamiltoun: Mr. John Hamiltoun: Mr. John Moncreiff: Mr. Robert Home: Mr. Thomas

<sup>1</sup> *Sic* in manuscript for 19.

Donaldson : Mr. John Dalzell : Mr. Arthur Forbes : Mr. Ephraim Melvill : Mr. George Bennet : Mr. George Leslie : Mr. Thomas Lundie : Mr. Gavein Young : Mr. James Wood : Mr. David Layng : Mr. Patrik Gillespie : Mr. William Row : Mr. John Douglas : Mr. William Jameson : Mr. James Gutterie : Mr. James Robieson : Mr. Robert Row : Mr. John Livingstoun : Mr. John Scott. **ELDERS.**—The Laird of Greinhead : David Kennedy.

Desire of the  
Lords of Ses-  
sion.

The Commission of Assembly appoints the Committee for Ireland to consider the Lords of Session their desire, viz., for planting the Eist Kirk of Edinburgh, as also for on daylie prayer to them everie morning at their first meeting, and to report their opinions.

The Commission, having heard the report of the condition of the brethren in Ireland by these come from thence, thinke fitt to send them the letter following :—

Letter to Irland.

‘**BELoved AND DEAR BRETHREN,**—If we were not affected with your affliction, and with the sad condition of the Church of Christ where yow serve, we sould be void not onlie of that sympathie and compassion that becomes the members of Jesus Christ, but also of that naturall love that becomes brethren according to the flesh. We are afflicted in your affliction, and doe mourne with that small remnant of the Lords people in Ireland who are now troubled on everie side, and poure forth our prayers and supplications in privat and in publik on your behalfe and theirs, for establishment and delyverie both to yow and to them. And we wold not have yow, our brethren, to be cast doune nor disquieted in your spirits becaus of that bitter cuppe that the Lord hath againe put in the hand of your Congregation. They were indeed as a brand plucked out of the fire, black and scorched with the flames of former persecutions, yet comelie as the dawning of the morning, that increase more and more vnto a perfite day, and pleasant as the buddings of the spring, that grow vp vnto a fruitfull harvest. And we doe not deny but the remembrance of their former desolatiouns, and the present sad interruption of the work of God amongst them, may adde sorrow to your affliction; yet wold we not have yow to mourn as these who have no hope. Beside all the great and gracious promises of God, which yow have for a sure anchor to your soules in the tempest of temptations that now assails yow, yow are not ignorant of the persecution that was

raised against the saints at Jerusalem, in the begining of the spreading of the Gospell, and of the issue that God gave ; and besids many others, throughout all the ages of the Kirk of God, yee have Scotland also for one ensample. We had no sooner sworne and subscribed the Nationall Covenant but we were threatned, and not long thereafter, invaded both by sea and land ; and since that time there hath no year passed but hath brought forth store of afflictions and trialls. Yet in all these the Lord hath been with ws, and hath delivered, and we trust sall deliver, ws out of all our afflictions. Nay, yee yourselves, and the Lords people with yow, have large experiences of the mercy and goodness of God towards yow. He gathered the remnants and outcasts, and brought them againe into their owne land. He planted the Gospell amongst them, and made it fruitfull vnto the salvation of many, and hath oftner then once quashed the hopes and dashed the designes of malignant and treacherous men amongst yow, and hath brought downe the pryde of their power, and is avenging vpon them the quarrell of His Covenant ; and when He hath accomplished all His work vpon Mount Zion and vpon Jerusalem, He shall render such measure to all His enemies. We trust that yow will wait for the Lords salvation, and doe your duetie, by giving faithfull warning to the soules comitted to your charge against dangers, and tentations, and snares, on all hands. God forbid, that as many prophane and formall men have declined and fallen of to Malignancie, so anie of those who have a name for holines and for the knowledge of God amongst yow, sould turne aside vnto errors. We know that tentatiouns on that hand be manie and strong, which we hope shall increase your watchfulness and care, that the Lords people may be kepted and confirmed in the love of the truth. We shall be glad to hear of your affaires, and to know your condition from time to time, and doe comend yow to the grace of God, and continue,

Your verie loving brethren in the Lord Jesus Christ,

THE COMISSIONERS OF THE GENERALL ASSEMBLY.'

*Edinburgh, 20 November 1649.*

The Commission thinke fitt yet againe to recommend the estate of Doctor Sharps relict to the Comittee, and to present the petition following for that purpose :—



*'Vnto the right honourable the Committee of Estates, Humbly Sheweth—The Commission of the Generall Assembly concerning the relict of Doctor Sharpe.*

Petition for Dr.  
Sharpes relict.

'This is not the first of many tymes that we have made addresses vnto your Lordships and to the honourable Estates of Parliament in this particular, and we cannot but confesse that we are both sorrie and ashamed that we sould be put to speak so often in on thing. We desire to be farr from thinking that your Lordships have forgotten the forwardnes and zeale of that honest man in advancing his whole stock in the publik cause, or that yow doe not tender and pitie the poore estate of his wife and children. But we thinke that we may say without offence, that if some effectual course be not taken in it, that it will be as a guilt vpon the land, and a reproach vpon the publik cause. And therefore we leave it with your Lordships, hoping that yow will take such course in it with the Comittee of moneyes, that we shall not need to trouble your Lordships againe with so just and necessarie a desire.'

Ryot done to  
the presbyterie  
of Arbroth.

The Commission of Assembly ordaines Messrs. James Hamiltoun, James Gutterie, John Moncreiff, George Leslie, John Livingstoun, and David Kennedy, to present to the Comittee of Estates the letter of the Presbyterie of Arbroth, concerning the ryot against the Ministers of Arbroth whilst they were designing a gleib, and to report their opinions.

The next meeting at 4 houres in the afternoon.

*Eodem die, post meridiem.*

*Sederunt:—*MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Gavein Young: Mr. George Hutcheson: Mr. John Moncreiff: Mr. William Oliphant: Mr. George Bennet: Mr. John Livingstoun: Mr. John Scott: Mr. John Douglas: Mr. John Dalzell: Mr. David Layng: Mr. Mungo Law: Mr. William Row: Mr. Robert Home: Mr. Samuel Rutherford: Mr. Thomas Lundie: Mr. James Hamiltoun: Mr. James Gutterie: Mr. Hew Mackaell: Mr. George Leslie: Mr. Patrik Gillaspie: Mr. John Hamiltoun: Mr. Ephraim Melvill: Mr. Arthur Forbes: Mr. John Neive:<sup>1</sup> Mr. James Robertsons: Mr. John Currie: Mr. Thomas Donaldsone. *ELDERS.—*Quhytbank.

<sup>1</sup> This name appears in these Minutes in the several forms Nevay, Nevoy, Neive, Neave, Neve, and on one occasion in Baillie's *Letters* as Knave (iii. 144). He was minister of Newmills, or the parish of Loudoun, 'a very zealous and honest though somewhat violent man, thrusting himself forward in all public questions.' Scott's *Fasts*.

This session spent only in the reading and examining the Paraphrase of the Psalmes.

The next meeting the morne at 8 houres.

*Edinburgh, 21 November 1649, ante meridiem.*

*Sederunt*.—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. John Neive:<sup>1</sup> Mr. James Wood : Mr. Patrik Gillespie : Mr. Thomas Donaldson : Mr. John Douglas : Mr. William Row : Mr. John Livingstoun : Mr. James Hamiltoun : Mr. Samuel Rutherford : Mr. John Scott : Mr. William Somervell : Mr. George Bennet : Mr. Arthur Forbes : Mr. David Layng : Mr. George Hutcheson : Mr. Thomas Wyllie : Mr. John Moncreiff : Mr. William Jamesone : Mr. James Robertstone : Mr. James Gutterie : Mr. Ephraim Melvill : Mr. John Hamiltoun : Mr. Thomas Lundie : Mr. Hugh Makaell : Mr. William Oliphant : Mr. Gavein Young.

ELDER.—Quhytbank.

Concerning the sumonds for transportatioun of Mr. Ephraim Melvill, Minister at Queensferrie, to Lithgow, and the petition of the Session of Lithgow to that effect, and the said Mr. Ephraim being personallie present, and the Baillies of the Queensferrie for that paroch, The Comission of the General Assembly, according to the power given to them by the late Assembly, having heard and seriously considered all parties, and the whole papers given in for and against the said transportatioun, Transports the said Mr. Ephraim from Queensferrie to Lithgow, notwithstanding anything objected to the contrarie.

Transportation of Mr. Ephraim Melvill to Lithgow.

The Commission of Assembly Doe seriously recomend to the Commission for planting of Kirks the division of Machlein parish, and appoints Mr. James Hamiltoun and Mr. George Hutcheson to be assisting to Mr. Thomas Wyllie in the prosecutioun thereof.

Recommendation—Division of Machline.

The Commission of the Generall Assembly, vnderstanding the great prejudice congregatiouns suffer by the long absence of their Minister, which is often occasioned by their long attendance vpon the Comission for planting Kirks, in the prosecutioun of their causes depending, Therefore they doe humblie desire the honourable Commission for planting Kirks to appoint more dyets of meeting in the week, that so bussines may be the better dispatched, and Ministers hastned home to

Recommendation to the Commissioners for Planting Kirks.

<sup>1</sup> See note p. 316.

their charges; and appoints Messrs. James Hamiltoun and John Moncreiff to present this desire to their Lordships.

The next meeting at 3 houres afternoone.

*Eodem die, post meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. James Hamiltoun : Mr. John Neave :<sup>1</sup> Mr. Patrik Gillaspie : Mr. Ephraim Melvill : Mr. George Hutchesone : Mr. Thomas Wyllie : Mr. Hew Mackaell : Mr. Gavein Young : Mr. James Gutterie : Mr. John Scott : Mr. John Moncreiff : Mr. James Robiesone : Mr. John Hamiltoun : Mr. David Layng : Mr. Samuel Rutherford : Mr. William Row : Mr. Thomas Lundie. ELDERS.—Lord Thesaurer Depute : Quhytbank.

A number of the Psalmes of the new Paraphrase this day surveyed.

Baptising Sir  
James Douglas  
his chyld.

This day a letter read from Sir James Douglas. The Comission appoints Mr. John Hay to baptize the said Sir James his child, he being free of any scandall in respect of his bygane cariage in the publik cause, and because he purged himself of any accession he had to the late Engagement.

Mr. John Vetch.

Concerning the petition of Mr. John Weitch, for setling a maintenance to the new erected kirk in the north part of the old parochen of Gordon, The Commission recomends the same to the honourable Commission for planting of Kirks.

Recommendation to Mr. Thomas Craufurd for translation of the Catechismes and Confessioun.

The Commission of the Generall Assembly, remembring that it was recomended to Mr. Thomas Crauford to translate the Catechismes and the Confession of Faith into Latine, and that Mr. James Wood, who was also desired to doe the same, excuses himself that he cannot have leasure for it, Therefore the Comission doe againe seriouslie renew their former recomendatioun to the said Mr. Thomas, and desires him goe about the said work with all diligence.<sup>2</sup>

Reference of the sone of Lewtenent Generall Baillie.

The Comission of the Generall Assembly, having heard the case of Baillie, sone to Livetennent Generall Baillie, related to them, viz., That he, being about eightene yeires of age, and never having taken the Covenant, went into England without charge with his father at the late vnlawfull Engagement, Doe refer him to the Presbyterie of Stirling and the brethren that meets with them at Clackmannan, to be

<sup>1</sup> See note p. 316.

<sup>2</sup> But see note p. 176.

admitted to the Covenant in a publik Congregation, and there to get publik admonition from the Minister (whom they shall ordaine to receive him) to avoid all wayes and courses heirafter that may snair him to the breaking of the said Covenant.

The Comission of the Generall Assembly, taking to their consideration the Lord Montgomries Supplication, Doe refer him to the Presbyterie of Irwing, to try the evidence of his repentance, and report to the Commission.

Reference—  
Lord of Mont-  
gomerie.

The nixt meeting to be the morne for the Comittee betuixt 7 and 8 in the morning, and for the Comission after sermon.

*Edinburgh, 22 November 1649.*

*Sederunt* :—**MINISTERS**.—Mr. Robert Douglas, *Moderator*. Mr. John Livingstoun : Mr. Ephraim Melvill : Mr. Samuell Rutherford : Mr. John Scott : Mr. David Layng : Mr. Gavein Young : Mr. George Bennet : Mr. James Gutterie : Mr. James Hamiltoun : Mr. John Neave :<sup>1</sup> Mr. George Hutcheson : Mr. Mungo Law : Mr. Thomas Lundie : Mr. William Row : Mr. William Somervell : Mr. James Wood. **ELDERS**.—Laird of Grenock.

A number of the Psalmes this session surveyed.

The Comission of the Generall Assembly, having considered the desire of the towne of Stirling, represented to them by John Short, their Comissioner, to have the League and Covenant renewed amongst them, which hath never yet been done in that Congregation, Doe therefore ordaine Mr. James Hamiltoun, Mr. James Durhame, and Mr. Ephraim Melvill, to repaire to the said towne of Stirling, for renewing the Covenant there vpon the third Lords day of December next; And vpon the Sabbath preceeding, the said Mr. James Hamiltoun, Mr. James Durhame, and Mr. Hew Kennedy, shall preach at Stirling, and make publicatioun of renewing of the Covenant the Lords day thereafter; And ordaines the said persons to preach and renew the said Covenant, as is abone written, with all the solemnities appointed by the Comission of the preceeding Generall Assembly.

Commission  
for the renova-  
tion of the  
Covenant at  
Sterline.

This day the petition of Livetennant Generall Baillie, containing his acknowledgment of his accession to the late vnlawfull Engagement, being read, The Comission appoints Messrs. Mungo Law, John Livingstoun, and James Gutterie, and Sir

Conference with  
Livetennant  
Generall Baillie.

<sup>1</sup> See note p. 316.

John Cheisly, to confer with him thereanent afternoone, and to report.

Reference concerning Earle of Hartfell.

The Commission of the Generall Assembly, having considered the Supplication of James, Earle of Hartfell, wherein he affirmes and declaires that he has been no way accessorie in promoting the late sinful Engagement, Doe hereby ordaine the Presbyterie of Middelby<sup>1</sup> to informe themselves thereanent, and accordingly, as he is innocent or guilty, to report to them in writt the certainty of the samen.

The nixt meeting afternoone.

*Eodem die, post meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. James Hamiltoun : Mr. George Leslie : Mr. David Layng : Mr. John Neave :<sup>2</sup> Mr. George Hutcheson : Mr. James Gutterie : Mr. Ephraim Melvill : Mr. John Livingstoun : Mr. Mungo Law : Mr. Gavein Young : Mr. Samuell Rutherford : Mr. John Scott : Mr. James Wood : Mr. Hew Mackaell : Mr. Thomas Lundy : Mr. Robert Row. *ELDERS*.—Mr. Alexander Colvill.

A number of the Psalmes this day surveyed and examined.

Letter to presbyteries for the moneys resting.

The Comission appoints that, in the letter to be written to Presbyteries, they be desired to send in the moneys resting for the printed papers, and for the 20 schillings, especiallie for this yeir 1649.

Provost of the old Colledge of St. Andrewes.

The Commission appoints Messrs. James Hamiltoun, John Livingstoun, James Gutterie, Hew Mackaell, James Wood, and the Maisters of the Colledge of St. Androis, to confer vpon some wayes to fill the Proveists place of the Old Colledge of St. Andrewis, and to report.

The nixt meeting the morne at 10 heures.

*Edinburgh, 23 November 1649.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. George Hutchesone : Mr. John Neave :<sup>1</sup> Mr. Patrik Gillaspie : Mr. James Hamilton : Mr. Thomas Lundie : Mr. John Livingstoun : Mr. Mungo Law : Mr. Hew Mackaell : Mr. James Gutterie : Mr. Ephraim Melvill : Mr. Gavein Young : Mr. John Douglas : Mr. William Row : Mr. Robert Row : Mr. John Murray : Mr. George Bennet : Mr. David Layng : Mr. George Leslie. *ELDERS*.—Sir John Cheislie : William Browne.

<sup>1</sup> What is now the Presbytery of Annan was then designated as the Presbytery of Middleby. See list of Presbyteries given in Acts of Assembly 1638.

<sup>2</sup> See note p. 316.

The Commission of the Generall Assembly, vnderstanding the necessities of providing the kirks of Edinburgh with tuo Ministers, represented now againe vnto them by the Lord Proveist and Baillies, Doe therefore appoint the second Wednesday of December to be a meeting for considering the transportation of some as they will suite, and desire the brethren present to keep that dyet, and the absents to be advertised.

The rest of this session spent in reading of the Psalmes.

The next meeting afternoone.

*Eodem die, post meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. George Hutchesone: Mr. James Gutterie: Mr. Robert Row: Mr. Patrik Gillaspie: Mr. John Murray: Mr. Hew Mackaell: Mr. David Layng: Mr. Mungo Law: Mr. John Livingstoun: Mr. James Hamilton: Mr. George Leslie: Mr. John Neave:<sup>1</sup> Mr. William Row: Mr. George Bennet: Mr. Gavein Young: Mr. John Douglas: Mr. Thomas Lundie. ELDERS.—Lord Register: Lord Craighall: Lord Brodie: Lord Thesaurer Depute: Quhytbank: Sir John Cheislie.

The Commission of Assembly, considering the desolate condition of the Congregation of Stirling, Doe therefore appoint the persons following for preaching there the Sabbaths after specified, viz., Mr. John Wauch the first Lords day of December, and vpon the 2d and 3d Sabbaths of December Mr. Hew Kennedy, and Mr. James Hamiltoun, and Mr. James Durhame, to preach there and renew the Covenant, the fourth Sabbath of December Mr. John Murray, the first Sabbath of Januarij Mr. Robert Row, the 2d Sabbath of Januarij Mr. George Bevirg,<sup>2</sup> the 3d Sabbath of Januarij Andro Donaldson, the 4th Sabbath Mr. Patrik Sheills, the first Sabbath of Februarij Mr. William Wishart, and that letters be written for that effect.

The Comission ordaines the Clerk to direct out sumonds for citeing the Earle of Mortoun and Kinnoull, and the pryme officers now come to Orkney,<sup>3</sup> to appear hear vpon the 13 of

The next meeting.

Preaching in Sterline.

Warrant for citing the Earle of Mortoun, Kinnoule and others.

<sup>1</sup> See note p. 316.

<sup>2</sup> i.e. Beveridge.

<sup>3</sup> The forerunners of Montrose in his last insurrection against the Covenanted Parliament. 'The Earl of Kinnoull, upon whom he conferred the command of the first division of his desultory forces, was instructed to effect a landing in Orkney as soon as possible with such troops as could be collected, and to establish a rendezvous there for the rest of the army. The Earl accomplished his mission some time in the month of September with great skill and daring.'—Napier's *Montrose*, vol. ii. p. 723. He resigned the chief command to the Earl of Morton, but shortly after both Morton and Kinnoull died.—*Ibid.* p. 727.

Februarij, to answer for their rebellious insurrection, with certification, if they doe not appear, the Comission will proceed against them with the sentence of excommunication.

The Commission appoints the Letters following to be sent to the Presbyterie of Orknay; Tenor whereof followes:—

Letter to the  
Presbytery of  
Orkney.

‘REVEREND BRETHREN,—Being informed that the Lord Kinnoull with some officers and souldiours are come into Orkney, and are endeavouring, with the help of vther Malignant and disaffected persons there, to cary on the countrey and people comitted to your charge in a Malignant designe for raising of a new warre against Religion and the Covenant, we are sory that in such ane exigent yow are not more faithfull in giving seasonable and free warning vnto your congregatiouns concerning the sin and danger of such a course, and that yow labour not more diligently and zealouslie to keep your people steadfast in their resolutions and affections towards the Cause of God. Wee need not put yow in mynde what the Lord calls for at your hands, nor how great a guilt will lye vpon yow, if any of the Lords flock goe astray or perish, because of your negligence or silence; nor what a great controversie the Lord hes with vnfaithfull Ministers in these times. But we exhort yow seriously in the bowells of Jesus Christ, and warne yow, as yow desire to approve your selves to the Visitatioun appointed to sitt amongst yow, and to the next Generall Assembly, That yow not only avoyd compliance with these men in your owne persons, but that yow also be carefull to take head to the flock over which the Holy Ghost hath made yow overseers, that none of them be led away after the counsells and courses of that partie, either by joyning with them, or countenancing or conniving at their designes and practises; And that if any vnder your charge have already declined and fallen of to their wicked way, that with all faithfulness and diligence yow endeavour to reclame them by the preaching of the Word and discipline, and all vther means appointed vnto yow of God for that end. And because the purposes and attempts of the Earles of Morton and Kinnoull, and their adherents, are so contrary and destructive to Religion and the Covenant, and so scandalous unto the Gospell, Therefore we will be necessitat to

proceed against them, and the cheefe of their complices, with the hiest censures of the Kirk, And doe hereby require yow to cite from your severall pulpitts, and personallie the Earle of Morton, the Lord Kinnoull, and the officers of speciall note who are with them, to compeir before the Comission of the Generall Assembly at Edinburgh against the threttene day of Februar nixt, with certificatioun, if they doe not compeir the said day, the Comission will proceed against them with the sentence of excommunication. And we expect that yee will returne to us your diligence herein betuixt this and the fore-said dyet. So hoping that yee will study in the Lords strength to cary your selves rightly in all things, we comend yow to God, and continues,

Your affectionat brethren in the Lord,

Edinburgh,  
22 November 1649.

THE COMISSIONERS

OF THE GENERALL ASSEMBLY.'

'*Postscript.*—The sumonds are left blank, that yow may insert the chief officers, and any others of pryme note joyning with them.'

'REVEREND BRETHREN,—We are sorie that our brethren, Mr. James Moriesone and Mr. Patrik Watterstoun, becaus of their faithfulness, sould have been put to so great straits as to leave their flocks, and, without furniture and provision, in such ane season of the yeir to vndertake so great and so dangerous a journey. We are not now to inquire into particular debaitts betuixt yow and them, hoping that the Visitatioun appointed by the Generall Assembly will take course with these things. Only we desire that yow will take notice of their sufferings, and not only interteine them with that love and respect as becomes brethren, but give them satisfaction in the matter of their charges, when they wer employed by yourselves as Comissioners to the Generall Assembly; and that yow will informe your selves concerning the cariage of Mr. Patrik Grahame to Mr. Patrik Watterstoun, whither he interrupted him in the peaceable possession of any such accomodatiouns as he hes hithertills enjoyed for the maintenance of him self and his family; and that if it be found that Mr. Patrik Grahame hes oppressed Mr. Patrik Waterstoun, in any of his just interests

Letter to the  
Presbytery of  
Orkney.



that are needful vnto him for the exercise of his Ministerie at the charge where he serves, that vnles Mr. Patrik Grahame shall give satisfaction thereanent, yow cite him to compeir before the nixt Generall Assembly to answer for the scandall and offence thereof. So we rest,

Your loving brethren,

*Edinburgh,*  
23 November 1649.

THE COMISSIONERS  
OF THE GENERALL ASSEMBLY.'

'Direct.—*To their Reverend Brethren, The Presbyterie of Orkney.*'

Kirk of  
Kinnetles.

Concerning the planting of the kirk of Kinnetles, the Commission thinke fitt to wrytte to the Laird of Brigton and to the Presbyterie of Forfar. Tenor of the letters follows:—

Letter to the  
Laird of Brig-  
toun.

'SIR,—Being informit that, notwithstanding of your owne invitation, by your letter to Mr. John Balvaird, of your profession, after your hearing of him, that yow have nothing to object against him; and hearing a good testimony of the young man, that he is able and honest, and qualified for the work of the Ministerie, we cannot but desire and advise yow, as yow tender the good and edificatioun of the parochine of Kinnetles, and as yow wold make it appear that yow were reall in the invitatioun which yow gave to the young man in name of the parochine, and as yow wish to approve yourself to the consciences of honest men in the planting of that place with a qualified man, that yow will concurr, and endeavour to make the parochine concurr, in the speedy settling of Mr. John Balvaird in the Ministerie at the kirk of Kinnetles, as we have written vnto the Presbyterie; for if yow concurr, we hear there will be no opposition in the bussines. And herein we hope yow will regaird and satisfie the desire and expectatioun of

Your affectionat friends in the Lord Jesus,

*Edinburgh,*  
22 November 1649.

THE COMISSIONERS  
OF THE GENERALL ASSEMBLY.'

'Direct.—*To the right honourable The Laird of Brighton.*'

Letter to the  
Presbyterie of  
Forfar.

'REVEREND BRETHREN,—Wee have received your letter concerning the cariage of the Laird of Bridgtoun and the parochine of Kinnetles vnto Mr. John Balvaird, and as we have written

our advise to the Laird of Bridgtoun to concur in the settling of that young man in that place, so it is our advise vnto yow, that yow doe presentlie admitt him vnto his trialls in reference to the Ministerie in the Congregation of Kinnetles, and, if yow find him qualified, that yow proceed to his admission to the Ministerie. So we rest,

Your loving brethren,

Edinburgh,  
22 November 1649.

THE COMISSIONERS

OF THE GENERAL ASSEMBLY.'

'Direct.—*To their Reverend Brethren, The Presbyterie of Forfar.*'

The Commission of the Generall Assembly, vnderstanding of the good abilities of Mr. Alexander M'Cleane, student of divinity, and being informit that the Presbyterie of Chirneside wants a bursar, Therefore they doe seriously recomend to the said Presbyterie the said Mr. Alexander, that he may be received and intertained by them as their bursar.

Recommendation—Mr. Alexander Macclean.

The Commission of Assembly, having considered the desire of the Garisone of Perth for a Minister in the place of Mr. Robert Young, whoes tyme now expires, Doe appoint Mr. John M'Gill, Minister at Dumbug,<sup>1</sup> to attend the said Garisone for performing of Ministeriall dewties to them for the space of three moneths, and that he repair thither against the first of December nixt.

Master Jhon Makgill to the garisone of Perth.

The Commission finding that, notwithstanding the courses sett doune by the Parliament, and the frequent recomendatiouns of the Assembly, that yet the Army and other places of trust are not yet purged of scandalous and Malignant persones, and particularly the garisone of Perth and the towne of Perth, Therefore they appoint the petition following to be presented to the Comittee of Estates, and these letters to be sent to the Generall Livetenant, and to Mr. John Makgill.

'*To the right honourable the Comittee of Estates, The Humble Desire of the Commission of the Generall Assembly.*

'That whereas your Lordships are obliged, by your solemne vows to God, and by the Acts of the late Parliament, to purge Judicatories, the Army, and all places of trust, of Malignant and

Petition to the Committee of Estats for purging the garison and town of Perth and other places of trust.

<sup>1</sup> i.e. Dunbog.

vitious persons, that by such a Reformatioun the Lord may be honoured, and the peace and saifty of this Kirk and Kingdome secured, It is therefore our humble desire that, at such a tyme of difficultie and tryall, your Lordships may be pleased to take some speedy and solid course for purging your forces in feild or garisone of all Malignant and vicious officers and souldiers; And particularlie that yow will give order and command for removing such scandalous persons out of the garisone of Perth. And because we are made to vnderstand that the Magistrats and Counsell of that towne of Perth, who had accessioun to the late vnlawfull Engagement, are yet continued in charge, We doe also earnestly intreat your Lordships to give order for removeing of them, and putting well affected persons in their places. All which we humbly [recommend] to your Lordships to be taken speciall care off, as yow tender the guid and securitie of the cause and Kingdome.'

Letter to the  
Generall  
Lewtennent.

'RIGHT HONOURABLE,—Yow know the care of the Parliament and of the late Generall Assembly for prescribing courses for purging the Army of Malignant and vitious men. There resteth now only the execution of their Acts and Recomendatiouns. Therefore, having so many experiences of your faithfulness and diligence, wee doe expect and earnestly intreat that yow may be pleased to concurr, by your power and authoritie, for the exact tryall and removeall of such scandalous persons, whither officers or souldiers; And especiallie that this course may be taken speedily in the garisone of Perth, which is a place of verie publik concernment, quherin the publik being so much interested, we sall not doubt of your speciall care, but remaine,

Your affectionat friends and servants in the Lord,

Edinburgh,  
23 November 1649.

THE COMISSIONERS  
OF THE GENERALL ASSEMBLY.'

'Direct :—*To the right honourable Livetennent-Generall David Leslie.*

Letter to Mr.  
John Makgill.

'REVEREND AND LOVING BROTHER,—Being informed that in the garisone of Perth, which yow are appointed to attend, there are many Malignant and vicious persons, Wee have recomendit to the Comittee of Estates, and to the General Livetennent, that

some effectuall and speedy course may be taken for purging that garisone. We doe therefore desire that yow take specciall notice of such persons, whither officers or souldiers, and in your place and calling endeavour the discoverie of them, and that yow will actively assist and concurr with the persons intrusted for their removeall, We remaine,

Your loving brethren,

Edinburgh,  
23 November 1649.

THE COMMISSIONERS  
OF THE GENERALL ASSEMBLIE.'

'Direct:—*To their Reverend Brother, Mr. John Makgill, Minister at Dumbug.*'

The Commission, vnderstanding that Mr. John Meinzie's hes not yet embraced the profession in Aberdene, Doe therefore appoint the letter following to be written to him:—

Letter to Mr.  
John Menzeis.

'REVEREND BROTHER,—Yow know with what tendernes the late Generall Assembly proceedit in their advyce to yow for imbracing that charge of a Profession of Divinitie to the Colledge of Aberdene. Having, notwithstanding of their owne clearnes in it, referred to ws to heare yow, and accordingly to determine; And wee, after hearing of yourself, did vnanimously find that yow sould imbrace that charge, and advysed yow to accept of it speedily; yet we are informed that yow still remaine vnwilling. Wee doe therefore hereby, according to the power given to ws by the Assembly, Require yow yet againe to accept that charge, and with all diligence to goe about the performance of the dewties of it, which, as yow tender the auctoritie of this Kirk and your owne dewtie, we expect yow will no longer delay. So committing yow in this and in all your affaires to the Lords specciall direction, We remaine,

Your loveing brethren,

Edinburgh,  
23 November 1649.

THE COMMISSIONERS  
OF THE GENERAL ASSEMBLY.'

'Direct:—*For their Reverend and Loveing Brother, Mr. John Meinzie's,<sup>1</sup> Minister at Aberdene.*'

<sup>1</sup> He ultimately became Professor of Divinity in Marischall College, and one of the ministers of the city of Aberdeen. According to Wodrow, he was 'once a Papist, then a Presbyterian, then an Independent, then complied with Episcopacy.'—*Analecta*, vol. i. p. 342.

Advise to Mr.  
Robert  
Douglass for  
comming to the  
East Kirk,

The Commission of the Generall Assembly, haveing heard the report of the Comittee concerning the provyding of the Eist kirk of this burgh, Doe therefore, in consideratioun of the great necessitie that that place be well provyded of ane able man, Doe advyse their Reverend Brother, Mr. Robert Douglass, to come to the Eist kirk,<sup>1</sup> and accept of the faire calling he hath from the towne and Lords of Session therevnto, and that against the 9 of December nixt; and recomends his brethren of the Ministerie in this burgh to help him by courses each Sabboth, vntill he be provyded of a colleague to that kirk.

Act for esta-  
blishing and  
authorizing the  
new Psalmes.

The Commission of the Generall Assembly, having with great diligence considered the Paraphrase of the Psalmes in meter, sent from the Assembly of Divines in England by our Comissioners whilst they were there, as it is corrected by former Generall Assemblies, Comittees from them, and now at last by the brethren deputed by the late Assembly for that purpose; And haveing exactly examined the same, Doe approve the said Paraphrase as it is now compiled; And therefore, according to the power given them by the said Assembly, Doe appoint it to be printed and published for publik vse; Hereby authorizing the same to be the only Paraphrase of the Psalmes of David to be sung in the Kirk of Scotland, and discharging the old Paraphrase, and any other then this new Paraphrase, to be made vse of in any congregatioun or family after the first day of Maij in the year 1650; And for vniformity in this parte of the worship of God, Doe seriously recomend to Presbyteries to cause make publik intimatioun of this Act, and take speciall care that the same be tymeously put to execution and duely observed.

Commission to  
the Ministers of  
Edinburgh for  
ordering the  
printing the  
new psalmes  
and for satisfie-  
ing the tran-  
scribers.

The Commission of the Generall Assembly, for the better ordering of the printing of the new Paraphrase of the Psalmes, that they may be correctly printed, and that the people be not extorted by printers or stationers in the prices, Doe hereby give power to the Moderator and Ministers of Edinburgh, or any three of them, with the Clerk, to order the printing of the said new Paraphrase, and to sett doune pryces thereof, and

<sup>1</sup> *i.e.* The church in the east end of St. Giles Cathedral, long known as the High Church.

to take such course with printers and stationers as they may neither wrong the people nor any of them another; Recommending especially to them to have a care that copies be correctly transcribed for the presse, and that the printed copies be well corrected; Giving them also power to determine and modifie what they thinke reasonable to give to the transcriber of the copies for all his paines he hes or shall be at.

The Commission of the Generall Assembly, vnderstanding that diverse erroneous books are brought to this Kingdome, and privatly scattered amongst the people, Therefore doe seriously recomend the Ministers of Edinburgh to cause the Magistrates search all shippes that shall come here, and to search also the stationers shopes, and gives power to them to doe everie thing necessary for trying and censuring stationers, or merchants, or any other that bring home, disperse, or vent such books, according to the Acts of Assembly.

Commission for trying the venters or dispersers of erroneous bookes.

The Commission of the Generall Assembly, having considered the supplicatioun of James Johnstoun of Westerraw, Doe referr him to the Presbyterie of Middilbie to try the evidences of his repentance, and thereafter to receive him to public satisfaction for his accession to the late vnlawful Engagement, according to his degree of guiltines, and the order prescribed.

Reference—James Johnstoun of Westerraw.

The Commission of the Generall Assembly doe recomend to the Presbyterie of Middilbie to try yet further the matter concerning Elizabeth Armestrang vntill their nixt Synod, and to continew the pronouncing the sentence in the meane tyme, that the matter may be further cleared at the Synod.

Recommendation—Elizabeth Armstrang.

The Commission of the Generall Assembly, having heard the report of some brethern appointed to conferr with Livetennent Generall Baillie, Doe referr and recomend him to the Presbyterie of Linlithgow, to be further conferred with in the matter of his accession to the late vnlawfull Engagement, and to report to the nixt meeting what satisfaction they find.

Reference—Lewtenent Generall Baillie.

The Comission appointes advertisement to be sent to Presbyteries, that when they send to seek Commissioners for trying and punishing witches, they withall send their opinions of the ablest and most conscientious men for judging therein.

Recommendation to Presbyteries concerning Commissioners for judging witches.

The Commission, vnderstanding that many Declaratiouns, Letters, and other papers emitted in the publik cause, are lyke

Order for collecting publik papers and printing thereof.

to losse and perish, to the prejudice of the cause, Therefore, for preventing hereof, they ordaine all these publik papers to be collected together, and printed in one or more volumes ; And appoints John Don to be at the paines, of gathering together all publik papers, printed or not printed, and by the advyse of the Lord Register, Sir John Cheisly, the Moderator, and the Clerk, Mr. Andro Ker, to putt them in order, and transcribe such as shall be necessarie, and thereafter the Clerk sall putt them to the presse to be printed ;<sup>1</sup> And the said Jhon Done sall attend the printing, and correct at the presse ; And because his paines herein will be great, and he will be at charges and expenses, The Comission give hereby power to the persons before named, and the Ministers of Edinburgh, or any three of them, to modifie and appoint ane honest allowance to him for his travells in such a work, and to give order to the collector for payment thereof.

Recommendation  
for visiting the  
Kirk of Perth.

The Commission recommends to the Presbyterie of Perth to visit the Kirk of Perth, and to take account of the vaiking stipends there, and of the employment thereof.

Reference and  
recommendation  
for planting  
Dunkeld.

The Commission of the Generall Assembly refers and recommends to the Visitors appointed for Dunkeld by the late Assembly to plant the kirk of Dunkeld with ane able minister, and to doe everie thing necessarie for that effect.

Mr. Robert  
Balcanguall.

The Commission appoints Mr. Robert Balcancall to be cited to the next meeting, and that Mr. John Stirling be advertised to be present at that tyme to informe in some particulars of the processe ; And in the meanetyme that Messrs. Mungo Law and George Hutchesone revise his proces and report.

The next meeting of the Commission the last Wednesday of December.

*Edinburgh, 26 December 1649, post meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. John Neave :<sup>2</sup> Mr. Patrik Gillaspie : Mr. Alexander Dunlope : Mr. Robert Row : Mr. Mungo Law : Mr. James Hamiltoun : Mr. Patrik Fleeming : Mr. James Robiesone : Mr. George Leslie : Mr. Harie Semple : Mr.

<sup>1</sup> Whether this was ultimately accomplished is very doubtful. Possibly the troubles which soon ensued, and the difficulty of procuring the necessary funds, may have prevented its accomplishment.

<sup>2</sup> See note p. 316.

James Gutterie : Mr. James Nasmith : Mr. Heugh Makaell : Mr. George Hutchesone : Mr. James Fleeming : Mr. John Home : Mr. Robert Fergusone : Mr. Heugh Campbell : Mr. Arthur Forbes : Mr. John Hamiltoun : Mr. Thomas Wyllie : Mr. William Oliphant. ELDERS.— Archibald, Marques of Argyle : Earle Lothiane : Lord Angus : Lord Register : Scotiscraige : Cesnock : Niddrie : Inglistoun : Whytbank : Sir John Cheialy : Mr. Alexander Colvill : Dalserfe : Robert Lockhart : David Kennedy.

This day, Mr. James Hamiltoun made report of his diligence in dischargeing of the Commissioun given to him and vthers for renewing the League and Covenant at Stirling, and the Comission having considered the samen, Doe approve the cariage of the said Mr. James and of the brethren adjoynd with him in the said Comision.

Report of Com-  
mission for  
Sterline.

Concerning the sumonds of transportatioun, at the instance of the towne of Edinburgh, against Mr. John Carstaires and the parochiners of Kaithcart, the said Mr. John appearing personallie, Sir George Maxwell, and the Laird of Kaithcart, and vthers, for the paroch of Kaithcart, and John Binnie, Robert Foullis, Baillies, and James Borthwick, with the Ministers of Edinburgh, and diverse vthers, appearing for the towne of Edinburgh, The Comission of the Generall Assembly, according to the power given to them by the late Assembly, having seriously considered the reasons *hinc inde*, for and against the said transportatioun, and having heard parties at length thereanent, Doe refuse the desire of the said towne of Edinburgh for the said Mr. John his transportatioun.

Refusall of Mr.  
John Carstaires  
his transporta-  
tioun to Edin-  
burgh.

Concerning the letter from the Presbyterie of Irwing anent the Lord Montgomerie, The Comission appoints him to be sent here to the nixt quarterlie meeting in Februarij, and that a letter be written to the Presbyterie for that purpose.

Lord Mont-  
gomerie.

The Comission, haveing considered a letter from Mr. John Row concerning the Laird of Philorth, Doe find that in respect of the Act of the Generall Assembly (referring such as are guilty of the like degree of accession to the late vnlawfull Ingagement to this Comission) and especiallie in regaird they have heard no thing from him self, that he sould once appeare here before this Judicatorie ; And therefore appoints ane answeare to be returned to Mr. John Row to this purpose.

Laird of  
Philorth.

Concerning the petition of the Congregation of Lawder anent Mr. Samuell Row his transportatioun, The Comission,



for satisfieing the desire of the said petition, Doe appoint the letter following to be sent to the Presbyterie of Kirkcudbright:—

Letter to Presbyterie of Kirkcudbright concerning Mr. Samuell Row his transportation to Lawder.

‘REVEREND BRETHREN,—The Commission haveing appointed Mr. James Gutterie to transport from Lawder to Stirling, the Congregation of Lawder have chosen Mr. Samuell Row, on of your number, to be their Minister; and they being now to prosecute his transportation before yow by their Comissioners, Wee cannot but desire that yow will impartiallie take notice of the great necessitie of the Mersse, wherein at this tyme there be manie desolate Congregatiouns, and of the great number of souls that are in the parochine of Lawder. Wee shall be farre from encroaching vpon your libertie, or assuming to our selves anie autoritie or power to judge in the bussines; But we trust that in this particular yow will walk upon those grounds that the Generall Assembly have in their Overtures holden forth to be sufficient causes of granting or denying transportation, and that yow will cary yourselves so in the whole bussines, that the Congregation of Lawder have no just cause, either because of needles delay or of wrong judgement, to appeale from your Presbyterie. So commending yow and your labours to the blessing of God, we continew,

Your loving brethren,

Edinburgh,  
26 December 1649.

THE COMMISSIONERS  
OF THE GENERALL ASSEMBLY.’

‘Direct:—*To our Reverend and Loving Brethren, The Presbyterie of Kirkcudbright.*’

*Edinburgh, 27 December 1649, ante meridiem.*

*Sederunt:—MINISTERS.*—Mr. Robert Douglas, *Moderator*. Mr. John Neave: <sup>1</sup> Mr. Thomas Wyllie: Mr. Robert Row: Mr. John Hay: Mr. James Robertsons: Mr. Robert Fergusone: Mr. James Fleeming: Mr. Harie Semple: Mr. Arthur Forbes: Mr. George Leslie: Mr. James Gutterie: Mr. George Hutchesone: Mr. James Hamiltoun: Mr. John Hamiltoun: Mr. Patrik Fleeming: Mr. Hew Campbell: Mr. Mungo Law: Mr. Alexander Dunlope: Mr. William Oliphant: Mr. Patrik Gillespie: Mr. James Nasmith: Mr. Ephraim Melvill. *ELDERS.*—Lord Marques of Argyle: Lord Cassills: Lord Angus: Lord Lothian: Scots-craig: Niddrie: Greinhead: Sir Thomas Ker: Inglistoun: Laird of Eight: Mr. Alexander Colvill: Robert Lockhart: David Kennedy.

<sup>1</sup> See note p. 316.

The Commission of the Generall Assembly, being informed Hieland boyes. that the Hieland boyes at schools in Glasgow are like to be forced to leave the schools for want of the means allowed by the Generall Assembly for their intertainment, Therefore they appoint that in the letters to Presbyteries they be desired with all diligence to sett apart a Sabbath for the collections appointed by the late Assembly for that vse, and that their collection be sent in to this towne to their brother, Mr. James Hamiltoun, with all diligence ; As also that they be desired to send in their rests of the 40s. whilk were formerlie appointed to be given by everie kirk for the said vse.

The Commission of the Generall Assembly, vnderstanding that Loquhaber—  
Mr. Neil  
Camrone. Mr. Neill Cameron,<sup>1</sup> Minister at [Inverchaolain], hes been desired to goe to Loquhaber, and that there is great necessitie of Ministers there, and that there is now some course sett doune for mentenance to a Ministry in these bounds, Therefore they doe appoint letters to be written to him seriously recomending that he goe to these parts for dischargeing Ministeriall dueties there, and that with all diligence, after the letters shall come to his hands, and that he stay there vntill Maij nixt, that against that tyme the Synod may take further course for settling a Minister there.

The Comission of Assembly, having considered the reference Sir Mungo  
Murray. from the brethren appointed to visit Stirling, and having heard Sir Mungo Murray, personallie present, Doe therefore refer him to the Presbyterie of Lithgow to confer with him, and for this cause appoints him to repair to the said Presbyterie weeklie at their meetings ; and they are to make report hereof the nixt quarterly meeting in Februarij, and the said Sir Mungo, personallie present, was warned *apud acta* to appear here againe the said dyet.

Concerning Generall Major Midletoun,<sup>2</sup> the Comission of Generall Major  
Middletoun—  
Letter to the  
ministers of  
Aberdene con-  
cerning him.

<sup>1</sup> He declined transportation both to Inverary and Lochaber.

<sup>2</sup> For some time past his loyalty to the Parliament had been suspected, though he was under Sir David Leslie commander of their cavalry, and so notorious did his disaffection become that, soon after this, Ogilvie of Powrie is found writing to Montrose, 'As for Middleton he is so far considerable that if your Lordship will please to make use of him, whom indeed you will find willing enough to accept it, he can take off the most part of all their horse to go along with him any way he pleases to command them, but chiefly in the king's service.'—Napier's *Montrose*, vol. ii. p. 735.

Assembly, considering that he was reserved to them by the late Assembly, Therefore they appoint the letter following to be written to the Ministers of Aberdene:—

‘REVEREND AND LOVING BRETHREN,—We expected to have heard before this tyme some report of your conference with Generall Major Midletoun, bot having heard nothing from yow, we must now desire that yow faile not to send ws ane accompt of his cariage, and of your conference with him, against the nixt quarterly meeting, the second Wednesday of Februarij; And we thinke it fitt that yow require him to come here before ws against that day, and in the meane time yow may continew conference with him vntill that tyme, if yow have any hope to bring him of<sup>1</sup> the errorrs of his bygone courses. So expecting to hear from yow the said day, we remaine,

Your loving brethren,

Edinburgh,  
27 December 1649.

THE COMMISSIONERS  
OF THE GENERALL ASSEMBLIE.’

‘Direct:—*To their Reverend and Loving Brethern, the Ministers of Aberdene.*’

The Comission of Assembly, having considered the Supplication of the Earle of Liven, Lord Generall, concerning the provyding a Minister to the Castle of Edinburgh, Doe appoint the petition following to be presented to the Committee:—

‘*To the right honourable the Committee of Estates, the petition of the Comission of the Generall Assembly.*

Petition to the Committee for a maintenance to a minister in the Castle of Edinburgh.

‘The garisone of the Castle of Edinburgh, and the prisoners there, who are many tymes persons of qualitie, and the importance and considerablenes of that place, doe all requyre and call for ane able and faithfull Minister to attend constantly there. How beneficiall he will be both to the place and to the publik, and how prejudiciall the want of it may prove to both, your Lordships can better consider nor we need to expresse. It is therefore our humble desire, that in your wisdoms yow may be pleased to find out some way for a maintenance to a Minister there, and we shall not be wanting to provyde a faithfull and

<sup>1</sup> i.e. off.

able man for the charge, according to the earnest and frequent petitions of these that have the trust and keeping of that place, and the power committed to us by the late Assembly in that particular.'

The Commission of the Generall Assembly appoints the Laird of Pluscarden<sup>1</sup> to be cited to the next quarterly meeting for his accession to the late rebellion in the North, and his other Malignant carriage, with certification, if he appear not, his absence will be taken for contempt, and they will proceed against him with excommunication; and that the Clerk send letters with a summons to his Presbyterie for that effect.

Concerning the petition of Sir James Sinclair of Murkill, who was accessorie to the late unlawfull Engagement, to be referred to his Presbyterie, The Commission, in respect of the Ordinance of the Assembly, appoints the said Sir James to appear before themselves, that they may try the evidence of his repentance.

The next meeting afternoone.

*Eodem die, post meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. George Hutchesone: Mr. Thomas Wyllie: Mr. Hew Campbell: Mr. Robert Fergusone: Mr. Patrick Fleeming: Mr. Ephraim Melvill: Mr. Harie Sempill: Mr. William Oliphant: Mr. James Guthrie: Mr. John Hamiltoun: Mr. Hew Mackaell: Mr. John Neave: Mr. James Fleeming: Mr. Mungo Law: Mr. James Nasmyth: Mr. Arthur Forbes: Mr. George Leslie: Mr. Robert Row: Mr. James Robertstone: Mr. Alexander Dunlope: Mr. Patrik Gillespie: Mr. John Hay: Mr. Harie Wilkie: Mr. John Murray. ELDERS.—Inglishtoun: Tutor of Pitsligo: Quhytbank.

*'To the Right Reverend the Commission of the Generall Assembly, the Desire of the Lord Provost, Baillies, and Counsell:—*

'HUMBLIE SHEWETH,—That whereas there are some persons that seek payment of some parts of the 40,000 borrowed by the Magistrats and Counsell for the tyme for the late unlawfull Engagement, and are suing executioun of their bands against us, who did petition against the borrowing of that money, and who since have disclaimed and repealed all Actes made to that purpose, and have vowed and promised before

Petition from the Counsell of Edinburgh concerning the 40,000 lib. borrowed for the unlawfull Engagement.

<sup>1</sup> He also was supposed to be in communication with Montrose, and had been concerned in a previous rising.

God to doe nothing that may make ws or this towne accessorie therevnto, It is therefore our humble desire to be resolved by your wisdomes, whither in conscience we should pay any part of the said sowmes, or if rather we should not legallie defend our selves and this burgh from payment thereof, and that yow may be pleased to assist ws before the Lords of Session, and any other judges competent for our liberation.'

Answer to the  
question propounded  
in the  
said petition.

'Concerning the case propounded vnto the Comission of the Generall Assembly by the Provost, Baillies, and Counsell of Edinburgh, whither the saids Provost, Baillies, and Counsell sould in conscience pay anie pairt of the fourtie thowsand pund borrowed, by the Magistrats and Counsell of Edinburgh for the time, for the late vnlawfull Ingagement, It is the judgement of the Comission, that the Provost, Baillies, and Counsell of Edinburgh, who propound this case, sould not in conscience pay anie pairt of the foirsaid sowme, nor interpose their auctoritie for paying of the same; but in regard of the sinfulness and vnlawfulness of the said Ingagement, and in regard of their petitions against the borrowing of that money, and in respect of their disclaiming and repealing all Acts made to that purpose, and of their voves and promises before God to doe nothing that may make them or the towne of Edinburgh accessorie thereto, They are bound in conscience not to be accessorie to the payment thereof, vnles they would involve themselves in the guilt of accession vnto and compliance with the late vnlawfull Ingagement, and make open profession before the world that they have not been reall in their petitions, and that they have but mocked God in their former voves and promises: Which yet is not to be so vnderstood as if we thereby meant to obstruct any just and legall persuit that the creditors may have against any particular persons, who wer instrumentall and active in borrowing the same.'

Reference—  
Lord Cochrane.

The Commission of the Generall Assembly, having considered the petition of the Lord Cochrane, and having heard himself, personallie present, Doe refer the petitioner to the Presbyterie of Air, to try the evidence of his repentance, and thereafter to receive him to publik satisfaction for his accession to the late vnlawfull Ingagement, according to his degree of guiltines, and the order prescribed.

‘REVEREND AND LOVING BRETHREN,—Having heard from our brethren in Glasgow that the Hieland boyes, educat there at the schooles, are like to be forced to leave the schooles, though some of them make good proficiency, and are of verie hopeful expectation, the cause whereof is the not cuming in of the moneyes allowed by the Generall Assembly to be collected for their mantainance, These are therefore to require yow earnestly to appoint some Sabboth day for their collection, according to the Act of the late Assembly, and send in your collections here to Mr. James Hamiltoun with all diligence; and what yow are restand of former yeirs for the fourtie schilling, which was formerly appointed for the educatioun of these hieland boyes, yow must without more delay send it in also to the said Mr. James.

‘Being informed of the great number of poore people whom the Divell hes deluded and drawn away to that sin of witchcraft, we must desire yow that when yow send for any Comissions for their tryell and punishment, that yow withall send informatioun of the most conscientious and vnderstanding men to be vpon the Comission.

‘Yow may remember what hes been frequently recomendit to yow from Generall Assemblies concerning the estate of your kirks. Now we vnderstand that letters are sent vnto yow from the Comission for planting of kirks to the same purpose, and for facilitating the settling of the provision of kirks; Therefore we doe earnestly desire that yow will with all diligence returne to their Lordships a satisfactorie answer.

‘Yow know in the last Assembly what complaints were made for the rests of the money ye owe for the printed papers these yeires past, and for the annuitie of tuentie schillings dew for 1648 and 1649. We doe therefore seriously requyre yow to send in what yow rest of 1649, and vther yeirs preceeding, to the Clerk, that he may pay the printer, and that he may cause give to the executors of James Murray, and the young man who succeeded to him, each of them the said annuitie dew vnto them; And withall send in ane accompt of the papers yow received, and of what money yow delyvered, that the trew resta

yow owe may be knowne; And herein we expect ane accompt  
at the nixt quarterly meeting. So we remain,

Your loving brethren,

*Edinburgh,* THE COMISSIONERS  
27 December 1649. OF THE GENERALL ASSEMBLY.'

The nixt meeting vpon Tuesday nixt at 10 houres.

*Edinburgh, 1° Januarij 1650, ante meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Harie Semple: Mr. John Robiesone: Mr. John Murray: Mr. Robert Fergusone: Mr. James Robiesone: Mr. George Hutchesone: Mr. John Hay: Mr. Alexander Dunlope: Mr. John Nevey: Mr. Harie Wilkie: Mr. John Livingstoun: Mr. Thomas Wyllie: Mr. Arthur Forbes: Mr. James Hamiltoun: Mr. Patrik Fleeming: Mr. George Leslie: Mr. Robert Row: Mr. James Gutterie. ELDERS.—Scotiscraige: Greinheid: Quhytbank: Mr. Alexander Colvill.

Lumlaire.

Concerning the petition of John Monroe of Lumlaire, bearing his sense and sorrow for his accession to the late vnlawfull Ingagement, The Commission of Assembly finds that he must once appear before themselves, And therefore appoints the Presbyterie of Elgin to send him here to the quarterly meeting in Maij, and that letters be written to them for that effect.

The Commission of Assembly, understanding the slownes of the Presbyterie of Peebles in goeing about the setling and planting of their kirks, before the Comission for plantatioun of kirks appointed for that effect, Doe therefore appoint the letter following to be sent vnto them.

Letter to the  
Presbyterie of  
Peebles con-  
cerning Kirkord  
and the rest of  
their kirks.

'REVEREND AND LOVING BRETHREN,—The frequent recomenda-  
tions of the Generall Assembly for divyding kirks, and the  
letters sent to yow from the Comission of Parliament for plant-  
ing of kirks to that same purpose, we conceive have put yow  
vpon that work. Therefore we doe recomend vnto yow with  
all diligence to visit and perambulat the bounds of your Presby-  
terie, and send to the said Comission for planting of kirks  
anie informatioun of the dismembrings, vnions, or new erections,  
that yow find necessarie in your Presbyterie. And particularlie  
we recomend vnto yow to consider the kirk of Kirkord, and if  
there be any parts of the paroches nixt adjacent, that lye more  
near and comodiously to that kirk then to the kirks they pre-  
sently are in, that yow present the same to the said Comis-  
sion, and seek the same to be adjoynd to Kirkord. We expect

your diligence in this particular, and in any other particulars of that kynd, and remain,

Your loveing brethren,

Edinburgh,

1 Janurij 1650.

THE COMISSIONERS

OF THE GENERALL ASSEMBLY.'

'Direct :—*To their Reverend and Loving Brethren, The Presbyterie of Peebles.*'

The Commission of Assembly, vnderstanding the paines Mr. John Adamson, Mr. Zacharie Boyd, and Mr. Robert Lowrie have been at in the translatioun of the Psalmes and other Scripturall songs in meeter, and how vsefull their travells have been in the correcting of the old Paraphrase of the Psalmes, and in compileing the new, Doe therefore returne them heartie thanks for these their labours, and that the Moderator shew this to Mr. John Adamson, Mr. Robert Lowrie, and wrytte to Mr. Zacharie Boyd to this purpose.

Mr. John Adamson, Mr. Robert Lowrie, and Mr. Zachary Boyd—  
Thanks.

The next meeting afternoone.

*Eodem die, post meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Ephraim Melvill : Mr. James Hamiltoun : Mr. George Hutcheson : Mr. Robert Fergusone : Mr. Robert Rowen : Mr. John Hay : Mr. William Oliphant : Mr. John Robertstone : Mr. Harie Semple : Mr. George Leslie : Mr. Hew Makaell : Mr. Thomas Wyllie : Mr. Patrik Gillaspie : Mr. Mungo Law : Mr. John Livingstoun : Mr. James Robertstone : Mr. John Nevey : Mr. Patrik Fleeming : Mr. James Guthrie : Mr. Arthur Forbes : Mr. Harie Wilkie : Mr. John Murray : Mr. Alexander Dunlopa. ELDERS.—Quhytbank : Mr. Alexander Colvill.

The Commission of the Generall Assembly, having seriously considered the petition of John, Lord Yester, and heard the report of the Comittee appointed to confer with the petitioner, and having also themselves heard him, personallie present, Doe find him verie sensible of the offence and scandall he hath given by his accession to the late vnlawfull Ingagement, and of the sinfulness thereof, and therefore they doe refer and recomend him to the Presbyterie of Hadingtoun, that they may cause receive his publik satisfaction in the maner prescribed by the Generall Assemblie.

Reference—  
Lord Yester to  
Hadingtoun.

The Commission of Assembly, having now seen a petition from the Towne Counsell, and the Kirk-session, and diverse others of the towne and paroch of Lithgow, for Mr. Ephraim Melvills present removing from Queensferrie, and settling in the charge of the Ministerie at Lithgow, according to the former

Concurrence of  
the paroch for  
Mr. Ephraim  
Melvills Trans-  
portatioun.



act of transportatioun, Doe therefore appoint him to be admitted to the Ministerie there vpon the last day of Januarij instant; and recomends to the Presbyterie that the same be accordingly done, and that all things be prepared and ordered for that effect; and appoynt the said Presbyterie to send some everie Sabbath to supplie the said kirk of Lithgow in the meane tyme.

Act for renew-  
ing the  
Covenant at  
Lithgow.

The Commission of Assembly, vnderstanding that the League and Covenant is not yet renewed in Lithgow, Therefore doe ordaine Mr. Hew M'Kaile and Mr. Robert Traill to renew the said League and Covenant in the said towne vpon the last Sabbath in this moneth; and vpon the Thursday before the said Sabbath to keepe Session, and try the members of the said Congregatioun, that they may be received to, or debarred from, the publik acknowledgment and the Covenant, according to the order and rules prescribed; and to preach vpon the said dayes, and to doe every thing necessarie to the effect aforesaid; whereanent they are to report their diligence the nixt quarterlie meeting.

Admission of  
Mr. James  
Guttrie to  
Sterline.

The Commission of Assembly appoints Mr. James Guthrie to be admitted to the Ministerie at Stirling vpon the sextene day of this instant, and that Messrs. John Duncane, Harie Semple, William Oliphant, Ephraim Melvill, Patrik Gillaspie, Hew Kennedy, and John Carstairs assist the Presbyterie of Stirling in that action that day, and that the said Mr. Patrik Gillaspie preach.

The nixt meeting the morne at 10 houres.

*Edinburgh, 2 Januarij 1650, ante meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Hew Makale: Mr. George Bennet: Mr. Robert Fergusone: Mr. John Robert-sone: Mr. Arthur Forbes: Mr. Harie Wilkie: Mr. John Hamiltoun: Mr. James Robert-sone: Mr. George Hutcheson: Mr. John Nevoy: Mr. Patrik Gillaspie: Mr. Ephraim Melvill: Mr. William Oliphant: Mr. Harie Semple: Mr. John Hay: Mr. Patrik Fleeming: Mr. James Guttrie: Mr. Gilbert Hall: Mr. Robert Row: Mr. James Nasmith: Mr. Thomas Wyllie: Mr. John Livingstoun. ELDERS.—Lord Lothian: Niddrie: Quhytbank: Mr. Alexander Colvill.

Recomendation  
for the kirk  
of the Queens-  
ferrie.

The Commission of the Generall Assembly, having now transported Mr. Ephraim Melvill from Queensferrie to Lithgow, Doe therefore humblie recommend to the honourable Comission of Parliament for planting of kirks, to have a cair for the settling a competent maintenance for a Minister to the said kirk of Queensferrie, least the want thereof be ane impedif[m]ent to the planting of the said kirk with a Minister.

*'The Declaration and Warning of the Comission of the Generall Assembly vnto all the members of this Kirk and Kingdome, in answer to a paper intituled and reputed the Declaration of James Grahame.'*<sup>1</sup>

'Albeit the cariage of those who are engaged in the worke of Reformatioun in this land hath been from the begining so agreeable to the rule of the Word of God and of sound reason, and so eminently owned and blessed by the Lord in all the tenour and procedour thereof, as may sufficientlie refute all the calumnies of enemies, and strengthen His people against all their slanders and attempts for vndoing of the same; Yet, least our silence in this day of blasphemy and rebuke should be construed either as a neglect of our duetie, or as weaknesse through the sense of the guilt, to wipe of<sup>2</sup> the aspersions that are vented to the world in the name of that excommunicate and forfeited traytor JAMES GRAHAM, we have resolved, till there may be opportunitie for a larger Declaration, shortly to touch the revylings contained in that paper, and to declare vnto men their dutie in reference to such purposes and desires as are holden forth therein.

The Declaration and Warning in answer to the Declaration of James Grahame.

'In the first place, the instruments of the work of Reformatioun are charged "as an horrid and infamous faction of rebels, who did hatch a rebellion against his late Majestie." But to say no thing that that wretched man was accessorie vnto the

<sup>1</sup> 'Early in November, before leaving Denmark, he published a Declaration, in which he demanded the aid of all who had "any duty left them to God, their king, country, friends, homes, wives, children, or would change now, at least, the tyranny, violence, and oppression of those rebels with the mild and innocent government of their just prince."'—Gardiner's *Commonwealth and Protectorate*, vol. i. p. 212. He published two Declarations. The first of these is reprinted in the *Harleian Miscellany*, vol. iii. p. 530, is addressed to England more than Scotland, and bears to have been issued at Copenhagen on 9th July. The second, quoted above, and reprinted in Appendix, No. xvii., ed. 1756, of the old Translation of Wishart's *Memoirs*, is addressed specially to Scotland, is much more vituperative, and is that replied to by the Commission. It is not reprinted in Napier's *Montrose*, but is in the recently issued *Deeds of Montrose*. It was replied to also by the Committee of the Estates, and the two replies were published forthwith under the title, *A Declaration of the Committee of Estates of the Parliament of Scotland in vindication of their proceedings from the aspersions of a scandalous pamphlet published by James Grahame under the title of James, Marques of Montrose, etc.* . . . Together with a Declaration and Warning to all the members of this Kirk and Kingdome, in answer to a paper entitled, 'The Declaration of James Grahame,' etc. 4°, Edinr. 1650.

<sup>2</sup> In 4° print off.

laying of the foundation of that blessed work, which now in the blindness of his minde and hardness of his heart, as being given vp of God as Pharaoh was, he calles rebellion, This is no other then the common calummie that has been cast vpon the servants of God from the begining of the world in all their indeuours and attempts for Reformation of Religion. Was it rebellion to stand to our defence, when, instead of an answer to all the earnest and reiterated supplicatiouns and desires of this land against the corruptions of doctrine, worship, discipline and government, we were invaded with ane army both by sea and land, that a yock<sup>1</sup> might be wreath[ed] about our necks by oppression and violence? Not onlie had we the Lords Word, and the practise of the Reformed Churches abroad, and of our own Church at home in the dayes of our fathe[r]s, to iustifie ws in this, but also the King himselfe, who, vpon informatioun, did retract the Declaration set forth against ws, and grant what we had desired.

‘Next, it is charged vpon this Nation, “that they did sollicite a partie in the Kingdom of England to beginne where they had left off, and that, finding their rebell brood there beginning to lessen, they did, contrarie to all faith, covenants, oathes, etc., enter with a strong Army the Kingdome of England, persecute their Prince in a forreigne Nation, and assist a company of strangers, rebells against their native King,” etc. What was the grounds and first rise of the War betwixt the King and the Parliament of England needs not now to be repeated, being so well known everywhere. But this Nation were so far from fomenting of the same, that for a long time they did meditate<sup>2</sup> a peace, and so continued, vntill England, by their earnest invitation, did, for the preservatioun and reformatioun of Religion, the honour and happinesse of the King, the peace and good of these Kingdoms, crave their assistance against the Popish, Prelaticall, and Malignant partie then in armes, who were like to have destroyed all: For which end, when they had entred in a Solemn League and Covenant with that Nation, as they did oblige themselves for the defence and preservatioun of his Majesties persone, and just greatnesse and authoritie in the defence and preservatioun of Religion, so they did never desist

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<sup>1</sup> In 4<sup>o</sup> print *yock*.

<sup>2</sup> In 4<sup>o</sup> print *mediate*.

to solicit his Majestie for satisfaction to the just desires of both Kingdoms, and were alwayes, vpon his Majesties granting of the same, willing to admit him to the exercise of his Royall power.

‘Thirdly, it is alleadged, “that after all manner of assurances given to his Majestie before his coming to the Scottish Army, notwithstanding of assurances, he was sold unto the English.” But we are confident that, albeit all the generation of Malignants of the three Kingdoms have now for three years together filled this and the Nations abroad with the noyse of such things, that yet to this day never any of them did, nor could, bring any evidence of such assurance given, or such bargane made by this Kingdome.<sup>1</sup> Nay, such assurances were alwayes refused, and when the King did cast himselfe vpon the Scottish Army, this Kingdome was so far from making any sale of him, that they did not condescend to leave him with his subjects in England, vntill sufficient surety was given by both Houses of Parliament concerning the safety and preservatioun of his Majesties person. It is great malice to say, that because the Scottish Army, about the time of his Majesties living at Newcastle, did receive some part of those arrears due vnto them for their painfull and faithfull service in England, that therefore this Kingdome did sell their King. The arrears which were then received were due before the King came vnto our Army, and in all probability had been more timously and cheerfully paid, if he had not come thither at all.

‘Fourthly, They are slandered “as complotters of the Kings destruction by secreet intercourses both before, in the time, and since his Majesties horrid murther.” If those things be evident, why were not the proofs brought forth and produced before the world for convincing the authors and abettors thereof, and gaining credit to the cause of those that make so bold alleag-

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<sup>1</sup> The explicit denial both by State and Kirk that any assurance had been given to Charles I., before he took refuge in the Scottish camp, or that any ‘bargane’ was made by the Scotch before surrendering him to the English Parliament, save that surety was taken of their representatives that ‘his person should be in honour, safety, and freedom in one of his own houses near London,’ affords the strongest possible evidence of the correctness of the view of these transactions given in note <sup>4</sup> on pp. xxv, xxvi, of the Introduction to the previous volume of the *Minutes of the Commission*.

ance? The publick endeavours and Testimonies of this Kirk and Kingdome, against the taking of his Majesties life, doe sufficiently refute all such secret and privat whisperings.

‘Lastly, They are charged “as robbers of the King, who now is, of all right, because of their declaring him King with provisoes.” But are these provisoes and conditions any other then such as have been in the time of his Predicessors, and wherevnto by the lawes and constitutions of this Kingdom he is obliged, and without which Religion and the peace of the Kingdom cannot be secured?

‘These and the like slanders are made a ground of invitation vnto the people of this land to abandon the cause and work of Reformatioun, and to rise in armes against the Parliament and Kingdom, and joyne themselves with such forces as that monster of men and his complices shall make vse of for invading of this land; to which he labours to perswade a promise of pardon for what is past, and of his Majesties resolution “to be ever readie to ratifie, so soon as it shall please God to put it in his power, according to the advice of the supream Judicatories of this Kingdom, all what hes been done by his Royall Father in order to our peace.” Though we should be silent and say nothing, we are perswaded that there be none in the land, who hes any regard to truth or righteousnesse, or in whom any sponk of the love of the Lords work or of this country does reside, but as they abhorminate and abhor the very name of that excommunicate wretch, and thinke these lies worthie of no other entertainment then is to be allowed to the devices of the father of lies, vnto whose hands he is delivered; so we are confident that they will detest and avoid all such desperate and wicked designes, attempted whether by him or by any other. Shall men, after so many solemn vowes and promises before the Lord, and His hand lifted vp so high in making plaine before them the way wherein they should walk, be so blind and base as to be charmed into a most godlesse course against Religion, and the blood of the Lords people, by the offer of a pardon where there hes been no transgression, but a following of duty? Or shall any be cheated into delusion by a flourish of most ambiguous words of his Majesties resolution to be ever ready to

ratifie, so soon as it shall please God to put him in his power, according to the advice of the supream Judicatories of this Kingdom, all what hes been done by his Royall Father in order to our peace? To say nothing that the League and Covenant, and the Vnion betuixt the Kingdoms, and the whole work of Vniformity, is here cut off at one clap; though yet we trust that these things will be dearer to all the Lords people in the land then their estates or lives; The words are so emptie and doubtfull as may suffer any interpretatioun men list to put vpon them, and may consist with the vtter vndoing of all that hes been done in this land for asserting the puritie of Religion and the libertie of the subject. His Majestie must first be put in power, before he engage himself to doe anything at all, and when in power, no obligation vpon him, vnlesse the supream Judicatories of the Kingdom shall so advise; Neither is it determined what these Judicatories are, whither his Majestie shall be obliged to follow the advice; and, which is more strange, Religion is not so much as named in all the concession, but all is wrapped vnder the notion of these things which the King his Royall Father granted in order to our peace; which may be so expounded as to take in things civill only, that concern the peace of the Kingdom, or, at the best, insinuates the motive of all that his Majestie granted concerning Religion to this Kingdome to have been only a desire of peace, and not anything in Religion itself, and so drawes alongs with it a secret reflexion vpon the Nationall Covenant, and all the work of God relating thereto, and concluds them alterable as the change may produce peace or warre. We thinke we need not desire any man to consider what could be the case of Religion, and of all that love it in this land, if it were in the power of that perfidious and proud Atheist to modell the supream Judicatories of the Kingdom according to his minde. He who hath so far forgotten his Covenant and oath, in which he entred in so publick and solemn a way, as to call all that is contained therein, and hes flowed therefrom, violent and most vnjust desires, and the work of Reformatioun from the begining rebellion, will not spare the overturning and destroying thereof, and the bringing back this poor Nation to the licking vp of the vomit of Prelacie, the ceremonies and the Service Book, for making way to a fuller

compliance with the Church of Rome; Which we have the more cause to fear, for that the free exercise and full liberty of Popish Religion is granted by his Majesty to those bloody rebels in Ireland. To vs it is abone<sup>1</sup> question, that as the alteration of Religion, and the establishing of an arbitrarie and illimited power for bringing the same about, was the designe from the begining, so that the same is still promoted by the Popish, Prelaticall, and Malignant party, and shall (if they prevaile) be the fruit of their workes.

‘Therefore, as the servants of the living God, we warn and obtest all the Lords people throughout the land, that as they would not draw on themselves the wrath of the Most High God by breach of Covenant and grosse backsliding, that they doe not hearken to any such calumnies and slanders, nor suffer themselves by the power thereof to be drawn from their steadfastnesse, or to give anie connivance, let be countenance or assistance, vnto anie who shall invade this Kingdom, or raise war therein, vnder pretence of Comission from his Majestie, and putting him in the exercise of his Royall power, before satisfaction had from him to the just and necessarie desires of this Kirk and Kingdome concerning Religion and the Covenant. The late Generall Assembly, in their Declaration, did by many grave and vndenyable reasons demonstrate the vnlawfulnesse and sinfulness of any such attempt, and it shall be now seasonable, for any man who doubts, to mak vse of these things for satisfying his judgement, and convincing him in the point of conscience, that he may not dash himselfe against the rock of the Lords power, which shall certainly break in pieces all those that oppose themselves to His work, and lead forth with the workers of iniquity all those that turn aside to their crooked wayes.

‘Albeit the avenging hand of the Most High hath pursued and followed with vengeance many of those who assisted that vnnaturall man in the shedding of the blood of his Countrey, and that many of them have tasted of the bitter fruits both of Civill and Ecclesiastick censures, and that a temptation to so great a wickednesse from such a one as James Grahame, seeme to be so grosse as may scarre most of the Malignant party them-

<sup>1</sup> In 4<sup>o</sup> print *above*.

selves, who yet continue in opposition to the Work of God, let be those who have humbled themselves for their former compliances with evill courses, or have kept their integrity without swarving; Yet it shall be the wisdom of all within this<sup>1</sup> land to guard their hearts by prayer and supplicatioun, and to arme themselves with the strength of the Lord against defection. Experience hath proven throughout all the tract of the work of God that many hath fallen off from day to day, and that new trialls have produced new discoveries of the hollownesse of the hearts of some, concerning whom many did promise to themselves better things. None can be stedfast in the Covenant but these whose hearts are right with God. We wish, therefore, everie man to search and trye his wayes, and as to repent of all his former provocatiouns, so, in the strength of the Mediator Jesus Christ, to studie to walk with God, and to order his conversatioun aright. Then may we be confident that the Lord shall establish ws, and that no weapon that is formed against ws shall prosper, and that everie tongue that riseth against ws in judgement we shall condemn.'

The nixt meeting afternoone.

*Eodem die, post meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Hew Makaell : Mr. Patrik Gillaapie : Mr. Thomas Wyllie : Mr. John Livingstoun : Mr. James Nasmyth : Mr. Gilbert Hall : Mr. Alexander Dunlope : Mr. James Guthrie : Mr. James Robertsons : Mr. George Bennet : Mr. Patrik Fleeming : Mr. Robert Row : Mr. Ephraim Melvill : Mr. John Hamiltoun : Mr. Arthur Forbes : Mr. John Nevoy. *ELDERS*.—Whytbank : Mr. Alexander Colvill : William Browne.

This day the petition of the parochiners of Lunfannan being considered, wherein they complaine of the proceeding of the Presbyterie of Kincarne,<sup>2</sup> in the admisionne of Mr. William Seatone to be their Minister, and sent the copie of their appeale, The Commission of Assembly, notwithstanding thereof, do approve of the private advyce sent vnto the Presbytery by some brethren here, and desire that they may proceed in that matter according therevnto, and that letters be written to the Presbyterie to that effect.

The Commission appoints Messrs. James Hamiltoun, Mungo

Parochin of  
Lunfannan and  
Mr. William  
Seatone.

<sup>1</sup> In 4<sup>o</sup> print *the*.

<sup>2</sup> *i. e.* Kincardine O'Neil.



Committee for  
purging the  
Armie.

Law, Hew Makaell, John Livingstoun, James Guthrie, John Robiesone, George Hutchesone, John Nevoy, Quhytbank, Mr. Alexander Colvill, with the Moderator, to be a Comittee to confer with some appointed from the Comittee of Estates for purging the Army of Malignant and scandalous persons.

Warning  
against James  
Grahame's  
Declaration.

The Commission appoints the Declaration to be presented to the Comittee of Estates, and to the effect none may be taken or abused with the Declaration of James Grahame, appoints the said Warning and Declaration made against it to be furthwith printed and sent to Presbyteries, and they desired to read the samen in their kirks.

Minister to  
Collonell Kers  
Regiment.

The Commission of the Generall Assembly, vnderstanding that Collonell Gilbert Ker wants a Minister for his regiment, Doe therefore appoint Mr. James Park, Minister at [Urquhart], to attend the said regiment for performing Ministeriall dewties to them for the space of three moneths, and that he repair thither with all diligence, and accept of the excuse of Mr. Gilbert Hall, who was formerly appointed for that charge.

Lady Pitadro.

Concerning the matter of the buriall of the Lady Pittadro,<sup>1</sup> who, being vnder a great scandall of witchcraft, and being incarcerat in the Tolbuith of this burgh during her triall before the Justice, died in prison, The Comission of the Generall Assembly, having considered the report of the Comittee appointed for that purpose, Doe give their advyse to the Presbyterie of Dumfermling to show their dislike of that fact of the buriall of the Lady Pittadro, in respect of the maner and place, and that the said Presbyterie may labour to make the persons who hes buried her sensible of their offence in so doeing; and some of the persons who buried hir, being personallie

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<sup>1</sup> Margaret Hendersone, Lady Pitadro, or Pittathrow, 'being dilated . . . to be ane witch, and that shoe hes kept severall meittings and abominable societie with the devill, as is cleir in many and diverse depositions emitted be uther witches tharupon,' fearing to be involved in the same condemnation, retired quietly to Edinburgh, 'quhair shoe tho<sup>t</sup> to haue lurkit, but was apprehendit and put in fircance in the tolbuith,' and by Act of the Estates on suit of the Generall Assembly, orders were given to the Justice-General and his deputs to put her on her trial, and 'if shoe be guilty of the said cryme of witchcraft to convict and condemn hir, pronounce sentence of death against hir, cause strangle hir, burne hir bodie, and doe everie thing requisit in sic caices.'—*Acts Parl. Scot.* vol. vi. pt. ii. p. 490. The direction in other cases is usually similar.

present, are desired by the Comission to shew themselvis to the Presbyterie sensible of their miscariage therein.

*'Vnto the right honourable the Comission for plantation of Kirks, the humble Supplication of the Comission of the Generall Assembly.'*

'Wee are verie sensible of the paines which your Lordships hes taken since the doune sitting of your honourable judicature in setling of Ministers provisions, and doe acknowledge the same with thankfulnes. Yet seing there be many Ministers who have bein long kept from their charges, and put to great expense in this towne by attendance vpon your Lordships; and their endeavours for erecting of new kirks, and dividing of and vniting of old kirks, and for augmentatioun of their stipends, are misconstrued by some vnto the begetting of needlesse jealousies; Therefore it is our earnest desire vnto your Lordships, that yow will be pleased to appoint tuo dayes of the week for dispatch of Ministers here attending, and that all of them may have impartiall and tymeous hearing, and that the erections, divisions, and vnions of kirks may be concluded according to Recomendations of Presbyteries, and the provisions of Ministers settled with that competency that is allowed by the Act of Parliament, That so there may be a constant reall testimony that all of your Lordships are willing and desirous to make effectuall what was granted by the honourable Estates of Parliament in the point of planting kirks and maintenance of Ministers; And we hope that the moderation of Ministers shall be such as no man shall need to harbour any jealousies of their purposes of seeking other things then what are necessarie and in dewtie incumbent to them in their places and callings.'

Petition to the  
Commission for  
Planting Kirks.

The nixt meeting the morne afternoone.

*Edinburgh, 3 Januarij 1650.*

*Sederunt:—*MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. John Hamiltoun: Mr. Hew Makaell: Mr. Harie Semple: Mr. John Robertson: Mr. George Bennet: Mr. James Gutterie: Mr. George Leslie: Mr. James Nasmyth: Mr. James Hamiltoun: Mr. Harie Wilkie: Mr. Robert Fergusone. *ELDERS.*—Lord Angus: Quhytbank: Mr. Alexander Colvill: William Browne.

Letter to my  
Lord Mording-  
toun,

‘MY LORD,—Vnderstanding that your Lordship have sent some of your children out of this Kingdome, without warrand either from Kirk or State, contrarie to the Acts of both ; and it being a dewtie lying vpon vs to see to the educatioun of the children of so noble a familie as your Lordships in the true Religion professed in this Kirk, who in other Kingdoms may be poysoned with Poperie or other errors and heresies, Therefore we desire your Lordship to returne your children to this Kingdome betuixt this and the first of Maij nixt, vnder the paine of Excommunication, wherevnto we will appoint the Presbyterie forthwith to proceed against yow, in case of your failling herein. Wee have no more to say, but remain,

Your Lordships affectionat friends and servants in the Lord,  
*Edinburgh,*  
3 Januarij 1650.

THE COMISSIONERS  
OF THE GENERALL ASSEMBLIE.’

Letter to the  
Presbyterie of  
Chirnside.

‘RIGHT REVEREND,—Vnderstanding that the Lord Mordingtoun hes sent some of his children out of this Kingdome, to the hazard of their educatioun in Poperie, contrarie to the lawes both of Kirk and State, Wee have written to his Lordship to returne his children against the first of Maij nixt, vnder the paine of Excommunication. And therefore we require yow that, if his Lordships children be not returned at that tyme, that yow fail not to advertise vs at our quarterlie meeting in Maij, that we may take course with his processe accordingly.

‘And because we heare that some Papists, who sometime have been domesticks in my Lords family, doe yet resort [to] and frequent his house, Wee desire therefore that yow inquire in this matter diligently, and if yow find any appearance of it, that yow admonish my Lord ; And if thereafter my Lord shall not hinder it reallie, that yow proceed against his Lordship for his disobedience. We comend yow to the Lords grace, and remain,

Your loving brethren,

*Edinburgh,*  
3 Januarij 1650.

THE COMISSIONERS  
OF THE GENERALL ASSEMBLIE.’

The nixt meeting the morne at 10 houres.

*Edinburgh, 4 Januarij 1650.*

*Sederunt* :—**MINISTERS**.—Mr. Robert Douglas, *Moderator*. Mr. James Guthrie : Mr. Harie Semple : Mr. Robert Fergusone : Mr. George Leslie : Mr. Hew Makaell : Mr. Harie Wilkie : Mr. John Livingstoun : Mr. Alexander Dunlope : Mr. William Oliphant : Mr. James Hamiltoun : Mr. John Hamiltoun : Mr. George Hutchesone : Mr. Mungo Law : Mr. John Robertstone : Mr. George Bennet : Mr. James Nasmith. **ELDERS**. Niddrie : Tutor of Pitsligo : Sir William Scott : Whytbank : Grenock : William Browne.

The Commission of the Generall Assembly refers Patrik Patrick Hay, Hay, in Arbroth, to the Visitation of Angus, with full power to them to determine what shall be done with him as they shall thinke good.

‘**RIGHT REVEREND**,—Having received a petition from the wyfe of Mr. Edward Richardstone,<sup>1</sup> sometyne ane of your number, desiring (in respect of the hard condition she and her family are into by the deposition of hir husband), that the whole stipend of the yeir 1649 may be given to hir for the maintenance of hir children and family, in regard hir husband did serve a great part of that yeir, being deposed in June, and that she might have some allowance of the nixt yeir, in recompence that her husband payed, at his entrie, to the relict and executors of his predicesor ; For the first we thinke, in respect of hir condition and his service, that the whole yeirs stipend for 1649 sould be granted to hir, and therefore desire yow to see the same payed dewly to hir, seeing the kirk is not yet planted, and that yow be effectuellie assisting therein ; But for the other desire, for a recompence of that was payed by hir husband as the Anne, we leive it to yourselves to consider, and to doe in it so as yow preiudge not the planting of the kirk. So we commend yow in all your labours to the Lords grace, and remain,

Your loving brethren,

*Edinburgh,  
4 Januarij 1650.*

**THE COMISSIONERS  
OF THE GENERALL ASSEMBLY.’**

<sup>1</sup> Richardson had been minister of the parish of Forteviot, in the Presbytery of Perth. He was admonished in 1639 to abstain from hunting, and was deposed in 1649 ‘for drinking success to the unlawful engagement.’ His successor was not admitted till 1651, so that in all probability the prayer of his wife’s petition was fully granted.

Act for dis-  
patching and  
for the payment  
of printed  
papers and of  
all bygones.

The Commission of the Generall Assembly appoints the Acts of the late Assembly, now printed, to be sent to Presbyteries; and because the prices of printed papers cum verie slowlie in, Therefore they ordaine that hereafter the Acts of Assembly, and vther printed papers, shall be sent to each Moderator of Presbyteries, who shall not deliver them to the brethren vntill he receive fra everie on of them the price of ilk book and paper; And the Moderator is to keep accompt of the price of the bookes and papers he receives, and shall send in the money with diligence to this towne to David Andersone, who hes now the charge of the dispatches, and will be found at our Clerks chamber. The Presbyterie shall also be desyrit to send in all bygone restis for the annuitie of 20s. or for printed papers, to the said David, that he may give the same to these that have interest. And because the Comission ordered that the Table of the Degrees of Incest, passed in Parliament, sould be reprinted in severall sheetis, therefore they ordaine the Clerk to send the same with the Acts of Assembly to Presbyteries, and that they returne the prices thereof in maner aforesaid, and that letters be written to Presbyteries concerning the premises.

Kirk of Cors-  
fairne.

The Commission of the Generall Assembly, having considered the letter of the Presbytery of Kirkcudbright, Doe appoint the Ministers of Edinburgh, or any three of them, to assist the erection of the Kirk of Corsfairne<sup>1</sup> before the Comission of Parliament for planting of kirks, as they shall be requyred.

Mr. John  
Balvaird.

Concerning the petition of the Laird of Bridgtoun against Mr. John Balvairds admission, The Commission of Assemblie thinks fitt that the Presbyterie proceed to the trialls of the said Mr. John, and that they take advice of the Visitors of that Presbyterie concerning his admission, and that Mr. James Guthrie wryte to them to this purpose.

Mr. John  
Ferreer.

The Commission of Assembly, considering the condition of Mr. John Fereer, who had the charge of the Dispatches, Doe therefore appoint the Ministers of Edinburgh to modifie some acknowledgment to be given to him for his bygone service, in respect of his present necessitie and want of other imployment;

<sup>1</sup> *i.e.* Carsphairn. Scott in his *Fasts* says Parliament sanctioned its erection on 8th March 1645.

and appoints the collector to pay the same out of the annuitie of 500 li<sup>s</sup>., whereanent these presents shall be to him ane sufficient warrand.

Concerning the petition of the Laird of Glanorchy for a <sup>Laird Glanor-</sup>recomendatioun to the Comittee of Estates, to be reponed <sup>quhie.</sup> against any assignments granted in his prejudice, The Comission of Assembly doe humbly recomend the said petition to the Comittee of Estates, that their Lordships may doe therein what in justice they can for satisfaction of the petitioner.

The Commission of the Generall Assembly, vnderstanding that there are now a Sub-comittee, appointed by the Comittee of Estates, for purging the Army of Malignant and vitious persons, whither officers or souldiours, Therefore, that informatioun may be gottin thereof, appoints letters to be written to Presbyteries, desiring them to try any Malignant or vitious persons that they hear of, and of any insolencies or disorders committed by any persone of the Army, and to send a perfect and cleir informatioun thereof to the Moderator or Clerk, viz., The Presbyteries in Angus and Merns betuixt and the tuentie fyft of this moneth; and the Presbyteries benorth the said Province of Angus and Merns betuixt and the tuelte of Februarij; the Presbyteries within the Province of Fyffe and Perth, Merse and Teviotdale betuixt and the tuentie tua of Januarij instant; the Presbyteries of Lothian, Glasgow, and Air betuixt and the sevintenth of this moneth; the Presbyteries of Gallo-way and Dumfreis betuixt and the last of Januarij instant; and that letters be written to them for that effect.

Letters for  
informationes  
of the insol-  
encies in the  
armie.

*Edinburgh, 13 Februarij 1650, post meridiem.*

*Sederunt:—MINISTERS.—*Mr. Robert Douglas, *Moderator.* Mr. Andro Duncason: Mr. Hew Mackaell: Mr. Richard Inglis: Mr. Hew Campbell: Mr. Thomas Swyntoun: Mr. James Guthrie: Mr. Hew Henderson: Mr. John Dalzell: Mr. John Hamiltoun: Mr. Samuell Ousten: Mr. John Hay: Mr. John Scott: Mr. John Douglas: Mr. William Majore: Mr. Thomas Donaldsone: Mr. John Crawford: Mr. Thomas Lundie: Mr. Thomas Wyllie: Mr. William Oliphant: Mr. Robert Baillie: Mr. David Dick: Mr. James Durhame: Mr. Alexander Rollock: Mr. David Layng: Mr. Hew Eccles: Mr. John Bell: Mr. Fredrik Carmichaell: Mr. James Fleeming: Mr. Patrik Gillaspie. *ELDERS.—*Lord Marques of Argyle: Earle Cassills: Earle Eglingtonne: Lord Angus: Lord Burghlie: Lord Couper: Lord Thesaurar Depute: Lord Craighall: Lord Libbertoun: Wauchtoun: Greinheid: Fairnie: Whytbank: Robert Lockhart.

This day the Lord Libbertoun,<sup>1</sup> haveing made report of his cariage and deortment in discharge of his Commission to the Kings Majestie, produced a letter from his Majestie; the tenor quherof followes:—

‘CHARLES R.

The Kings  
Majesties Let-  
ter to the Com-  
mission.

‘RIGHT reverend, and trusty, and welbeloved, We greet yow well. Wee should have the more to say vpon the subject of your letter received by Mr. Winrham of Libbertoun, if we had not already (by our answer to the other letters he brought ws) given sufficient testimony of our reall and passionat desire to agree with our subjects of that our ancient Kingdom of Scotland, and of our readines to condescend to all their just and reasonable demands, for the settling of a right vnderstanding between ws and them, and procuring the future peace and happines of that Nation. Wee cannot but verie much approve your detestation of that execrable murther committed vpon the person of the King, our late dear father of blessed memorie, by those barbarous and inhuman rebels of England, together with the profession yow make of your vnfeigned desire that the auncient Monarchicall Government of our Kingdom be established and continued in our person and family. And as we cannot doubt but that these expressions proceed from your Christian piety to God, and your sense of duety to ws, your lawfull King and Sovereign, so we will hope that, in the further prosecution of the Treaty and Agreement with our subjects of Scotland, (which we so earnestly desire,) wee shall find that spirit of meekenes and moderation in yow that becomes the Ministers of the Gospell, and that prudent consideration of our

<sup>1</sup> George Winraham, or Winram, laird of Libberton, was a prominent and zealous Covenanter, had sat as an elder in the Westminster Assembly, was one of the Church's deputies to Charles II. at the Hague in 1649, after his return was appointed a Lord of Session, in August 1650 was appointed by the Estates of Parliament ‘to repaire to the King's Majestie’ then in Jersey, but delayed for a time to do so, and only returned in the beginning of February with ‘a very discreet letter to the Committee of Estates,’ and the letter given above to the Commissioners of the General Assembly. He was one of the Commissioners appointed by Parliament to resume negotiations with the King at Breda in March, which issued in his acceptance of the terms of the Covenanters. He returned with the King to Scotland, took part in the battle of Dunbar, and was so severely wounded that he died soon after.

condition and affaires, which may satisfie ws and the whole world, that yow sincerely intend, and will effectuellie endeavour, that establishment of ws which yow professe so much to desire; whereby likewise yow shall more engage ws to a confidence in yow, and better persuade ws to enlarge ourself (as well in just and necessarie concessions to the publick, as in particular graces and favours to yow and every of yow), then by expressions of acrimony, which tend rather to exasperat then reconcile differences. But we promise ourselves far other effects of your affection, piety, and moderation, and desire yow to send your Commissioners to the meeting at Breda, which we have appointed vpon the fifteenth of March next, where wee intend, God willing, to be. And in the meane time wee bid yow very heartily farewell. Given at our Court in Jersey, the  $\frac{22}{12}$ th day of January in the first year of our Reigne 16 $\frac{50}{17}$ .'

'Direct:—*To the right reverend, our trusty and welbeloued, The Commissioners of the Generall Assembly of the Church of Scotland.*'

This day the Lord Marques of Argyle shew that the Committee of Estates had appointed him to shew to the Comission for correspondence the Kings letter direct to them, which being red, the Comission appointed his Majesties letter direct to them to be communicat also to the Committee of Estates.

The Commission of Assembly appoints Messrs. David Dickson, James Guthrie, Patrik Gillaspie, Robert Baillie, Hew Mackaell, Mungo Law, George Hutcheson, James Durhame, John Livingstoun, James Wood, and John Moncreiff, Earle of Weymes, Lord Angus, Lord Burghly, Wedderburne, Greinheid, with the Moderator, to meet with the Sub-committee of the Committee of Estates to consider of the Kings letter, and to report their opinions concerning ane answer therevnto, and what is to be done therevpon.

The Commission appoints Messrs. George Hutchesone, James Gutterie, and Mr. Hew M'Kaell to conferr with Sir Hector M'Clean, and to report their opinions.

The Commission appoints Messrs. Patrik Gillaspie, James Durhame, Alexander Dunlope, James Guthrie, John Scott, Committee for the suspensit officers.



William Majoir, John Row, Alexander Rollock, Fredrick Carmichaell, William Row, William Oliphant, and John Moncreiff, with the lairds of Inglisoun, Quhytbank, Thomas M'Birnie, William Broune, with the Moderator, to be a Committee to consider the petitions of the officers suspended from their charges, and the informatiouns and testimonialls concerning them, and to give their opinions what course is to be taken thereanent; There meeting to be the morne at 8 houres in the morning.

Lady Pittadro. Concerning the petition of the friends of the Lady Pittadro, the Commission doe adhere to that former advyse to the Presbyterie; and find that the servants, and other meaner sort of persons, accessory vnto the vnorderly burying of the said vmquhill lady, should be put to no further degree of censure then the gentlemen who had pryme hand in the fact, and commanded and directed the rest; And appoints Mr. William Oliphant to intimat this to the Presbyterie.

The nixt meeting the morne at 10 houres.

*Edinburgh, 14 Februarij 1650.*

*Sederunt*:—**MINISTERS**.—Mr. Robert Douglas, *Moderator*. Mr. George Bennet: Mr. Mungo Law: Mr. Hew Henderson: Mr. Hew Eccles: Mr. William Guthrie: Mr. John Douglas: Mr. Thomas Donaldson: Mr. James Fleeming: Mr. James Hamiltoun: Mr. John Hay: Mr. Gilbert Hall: Mr. Samuell Ousten: Mr. John Neave: Mr. Alexander Rollok: Mr. David Layng: Mr. John Scott: Mr. John Bell: Mr. John Hamiltoun: Mr. James Guthrie: Mr. John Dalzell: Mr. Hew Campbell: Mr. George Hutcheson: Mr. John Moncreiff: Mr. Alexander Dunlope: Mr. Andro Duncanson. **ELDERS**.—Archibald Marquis of Argyle: Earle of Eglingtoun: Earle Cassills: Earle Lothian: Viscount of Arbutnot: Lord Angus: Lord Burghlie: Lord Brichen: Lord Cowper: Lord Thesaurar Depute: Scotiscraig: Wauchtoun: Wedderburne: Fairnie: Inglisoun: Quhytbank: Mr. James Campbell.

Conference  
with the  
College of  
Glasgow.

The Commission of Assembly appoints Messrs. James Hamiltoun, James Guthrie, and Mr. George Hutcheson, with the Moderator, to confer with the Colledge of Glasgow and Ministers thereof, anent the setling of the stipends and provisions of the Ministers of these kirks whereof the Universitie hes the tithes, and to report.

The nixt meeting at 2 afternoon.

*Eodem die, post meridiem.*

*Sederunt* :—**MINISTERS**.—Mr. Robert Douglas, *Moderator*. Mr. Samuel Ousten : Mr. John Nevoy : Mr. John Bell : Mr. James Durhame : Mr. Harie Wilkie : Mr. John Dalzell : Mr. Gilbert Hall : Mr. Fredrik Carmichael : Mr. Andro Duncanson : Mr. Hew Campbell : Mr. James Fleeming : Mr. George Murray : Mr. George Murray [*sic*] : Mr. Thomas Wyllie : Mr. Hew Eccles : Mr. Alexander Dunlop : Mr. William Somervell : Mr. James Gutterie : Mr. George Hutcheson : Mr. John Hay : Mr. Robert Inglis : Mr. Robert Baillie : Mr. George Bennet : Mr. Hew Henderson : Mr. Patrik Fleeming. **ELDERS**.—Earle Lothian : Earle Eglintoun : Earle Weymes : Lord Angus : Lord Brichen : Cesnock : Inglistoun : Wedderburne : Thesaurar Depute : David Kennedy : Whytbank : Tutor Pitaligo : Swinton : George Porterfeld : Mr. Alexander Colvill.

In respect of the late debaites of the mater of transportatiouns of Ministers, It is the opinion and advyse of the Commission, for eviteing thereof, that, vntill the next Generall Assembly, the Commissioners in the Presbyteries from whom and to whom the transportatiouns ar sought would remove themselves, and not voyce in the mater.

Advyce concerning transportatiouns.

Concerning the sumonds for transportatioun of Mr. Thomas Wyllie to Edinburgh, the said Mr Thomas appearing personallie, and the Provest, Baillies, and Ministers of Edinburgh, and my Lord Chancellor and diverse vthers of the paroch of Mauchline, The Commission of Assembly, having heard the saids pairties, and seriously considered their reasons given in *hinc inde*, for and against his transportatioun, Find that the said Mr. Thomas sould not be transportit to Edinburgh; and therefore doe refuse the desire of the said towne of Edinburgh, and appoint him to stay at Mauchline notwithstanding thereof.

Refusall of Mr. Thomas Wyllie his transportatioun to Edinburgh.

Concerning the sumonds at the instance of the towne of Edinburgh for transportatioun of Mr. John Stirling, the said Mr. John appearing personallie, and the Lord Yester and Mr. Alexander Hay of Bara appearing for the parochiners of Bara,<sup>1</sup> and the Lord Provest, Bailies, and Ministers of Edinburgh appearing for the good towne, The Commission of Assembly,

Mr. John Stirling his transportatioun to Edinburgh.

<sup>1</sup> Bara or Baro was one of the parishes in the Presbytery of Haddington, and was united in 1702 with the neighbouring parish of Garvald. John Stirling was settled in it in 1647, and translated to Edinburgh in 1650. Scott's *Fasts*, pt. i. p. 334.

having heard the pairties, and considered their reasons given in *hinc inde*, for and against his transportatioun, Find that the said Mr. John aught to be transportit; and therefore doe hereby transport him from his present charge at Baro to the charge of the Ministry at Edinburgh, and appoints him to remove from Baro, and settle himself for the said charge at Edinburgh, betuixt this and the last of March nixt.

Alexander  
Crawfurd.

The Commission of the Generall Assembly, having considered the supplication of Alexander Crawfurd, Doe refer him to the Presbytrie of Linlithgow to try the evidence of his repentance, and thereafter to receive him to publick satisfaction for his accession to the late vnlawfull Engagement, according to his degree of guiltines, and the order prescribed.

The nixt meeting the morne at 10 houres.

*Edinburgh, 15 Februarij 1650.*

*Sederunt: MINISTERS.*—Mr. Robert Douglas, *Moderator*. Mr. Alexander Rollock: Mr. George Bennet: Mr. Richard Inglis: Mr. Hew Henderson: Mr. John Scott: Mr. David Dickson: Mr. Patrik Gillaspie: Mr. Hew Campbell: Mr. James Robeson: Mr. Harie Wilkie: Mr. Robert Baillie: Mr. Francis Aird: Mr. John Moncreiff: Mr. Robert Home: Mr. John Douglas: Mr. James Hamiltoun: Mr. Hew M'Kaill: Mr. George Murray: Mr. John Dalzell: Mr. William Major: Mr. Samuell Austaine: Mr. John Bell: Mr. John Nevoy: Mr. James Ferguson: Mr. James Fleeming: Mr. Mungo Law: Mr. Harie Livistoun: Mr. George Leslie: Mr. William Row: Mr. William Oliphant: Mr. Thomas Swintoun: Mr. James Gutterie: Mr. Patrik Fleeming: Mr. John Hay. *ELDERS.*—Eglington: Lothian: Angus: Brichen: Cowper: Lord Register: Lord Brodie: Thesaurer Depute: Wauchtoun: Inglis-toun: Wedderburne: Edzell: Whytbank: Clobberhill: Robert Lockhart: Thomas M'Birnie.

It is thought fitt that the Comission should now dissolve vntill afternoon, and the Comittee to sitt presentlie.

*Eodem die, post meridiem.*

*Sederunt:—MINISTERS.*—Mr. Robert Douglas, *Moderator*. Mr. Francis Aird: Mr. Robert Traill: Mr. James Gutterie: Mr. William Jamesone: Mr. John Douglas: Mr. Andro Duncason: Mr. Samuell Owstane: Mr. George Murray: Mr. Robert Home: Mr. Thomas Swinton: Mr. Richard Inglis: Mr. Thomas Wyllie: Mr. John Scott: Mr. John Bell: Mr. David Dickson: Mr. Alexander Dunlope: Mr. Hew M'Kaill: Mr. Harie Wilkie: Mr. John Moncreiff: Mr. Frederick Carmichaell: Mr. James Durham: Mr. James Fleeming: Mr. Gilbert Hall: Mr. Robert Row: Mr. John Dalzell: Mr. James Stratoun: Mr. John Hay: Mr. Thomas Donaldson: Mr. James Hamiltoun: Mr. Mungo Law: Mr. Hew Henderson: Mr. George Hutchesone: Mr. Patrick Gillaspie: Mr. Robert Baillie: Mr. William Gutterie: Mr. John Nevoy: Mr. William Row:

ELDERS.—Argyle : Eglington : Lothian : Brichen : Cowper : Thesaurer Depute : Cesnock : Inglistoun : Whytbank : Robert Lockhart : David Kennedy : George Porterfeild : William Browne.

Concerning the sumonds of the parochiners of Stirling for transportaoun of Mr. William Gutterie<sup>1</sup> from the new kirk of Kilmarnock, Mr. James Gutterie, Minister at Stirling, Generall Major Howburne, the Provest, Thomas Bruce, John Short, and diverse others for the towne and parish of Stirling, compeiring for the said transportatioun, and some of the parochiners of the new kirk of Kilmarnock, and the said Mr. William, appearing against the same, The Comission, haveing heard the said parties *hinc inde*, Doe refuse the said transportatioun, and doe find the said William Gutterie sould stay at the new kirk of Kilmarnock, notwithstanding the reasons and sumonds given for the same.

Refusall of Mr. William Gutteries transportatioun to Sterline.

The next meeting the morne at 10 houres.

*Edinburgh, 16 Februarij 1650.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Thomas Swyntoun : Mr. Samuell Oustane : Mr. Thomas Wyllie : Mr. David Dickson : Mr. Patrick Gillaspie : Mr. Richard Inglis : Mr. James Wood : Mr. Fredrik Carmichaell : Mr. Hew Henderson : Mr. Harie Wilkie : Mr. James Gutterie : Mr. William Jameson : Mr. Thomas Donaldson : Mr. Thomas Lundie : Mr. George Murray : Mr. James Robertsonsone : Mr. Hew Henderson : Mr. John Scott : Mr. John Bell : Mr. Alexander Dunlope : Mr. James Durhame : Mr. Francis Aird : Mr. James Fleeming : Mr. Andro Duncason : Mr. Gilbert Hall : Mr. John Moncreiff : Mr. John Douglas : Mr. Robert Home : Mr. Alexander Rollock : Mr. Robert Row : Mr. Alexander Murray. ELDERS.—Eglington : Weemyes : Lothian : Angus : Brichen : Thesaurer Depute : Brodie : Greinheid : Wedderburne : Sir John Cheislie : Inglistoun : Whytbank : Sir Thomas Ker : Mr. James Campbell : William Browne.

The Commission of the Generall Assemblie, haveing considered the petition of Sir Hector McClean of that Ilk, and haveing heard the report of the brethren appointed to confer with him, Doe refer him to the Ministers of Edinburgh that they may receive him to the Covenant.

Reference M<sup>c</sup>Clean to the ministers of Edinburgh.

The Comission appoints Messrs. Hew Mckaille and James Hamiltoun to give in the Remonstrance and Desire from this Comission, concerning the Committee for purging of the Army,

<sup>1</sup> He was the cousin of James, and author of the well-known treatise, *The Christian's Great Interest*. See biographies of him in *Select Biographies* of the Wodrow Society, vol. ii., and in *Scots Worthies*.

to the officers vpon Tuesday cum 8 dayes. Tenor of the Remonstrances followes :—

*‘ The Remonstrance and Desire of the Comission of the Generall Assembly vnto the right honourable the Officers of the Army.*

Remonstrance  
to the officers  
of the Armie.

‘ ALBEIT we will not question but that there may be some of these who were officers in the late vnlawfull Engagement, and are now removed out of the Army becaus of their accession thereto, who may have repented of that their backsliding, and doe now endeavour to carie them selfis Christianlie without offence, to whom we shall not deny to bear testimony vpon sufficient and convincing evidences thereof; Yet many of the testimonialls brought vnto ws are negative only and defective, and some of them contradicted vpon better informatioun; For which cause we cannot concur with our testimony to many of them, vntill we be further cleared therein. Therefore, sieing now the tyme of the Comittee appointed for purging of the Army is now expyred, and a great part of their work yet remaines to be done, many of the testimonialls brought vnto ws being vnclar and diverse, Presbyteries not having as yet sent in their informatiouns concerning the cariage of these quartered in their bounds, Wee doe therefore earnestly desire that yow may be pleased to take some course for renewing the power of that Comittee, that the Army may be purged of vitious and Malignant men, and that respect may be had to such who are not only skilfull in warfare, but also truelie well affected in [the cause].

Mr. David Dick-  
sone his trans-  
portatioun to  
the Colledge of  
Edinburgh.

Concerning the sumonds at the instance of the towne of Edinburgh for transportatioun of Mr. David Dickson, the said Mr. David appearing personallie, Mr. Robert Baillie, Dr. Strange, and vthers, appearing for the Vniversitie of Glasgow, and the Lord Provost, Baillies, and Ministers of Edinburgh appearing for the good towne, The Commission of Assembly, haveing heard the parties, and considered all objectiones and answers concerning his maintenance and free exercise of his Ministerie, and all other reasones given in *hinc inde*, for and against his transportatioun, Finds that the said Mr. David aught to be transported; and therefore doe hereby transport him from the

said Vniversitie of Glasgow to the Colledge of Edinburgh, to be a Professor of Divinitie there, and that he remove from Glasgow and settle himself in the said Colledge of Edinburgh betuixt this and the first of Aprill next.

The next meeting on Monday at 2 hours, and the Sub-committees to meet in the meane tyme.

*Edinburgh, 18 Februarij 1650.*

*Sederunt*:—**MINISTERS**.—Mr. Robert Douglas, *Moderator*. Mr. George Leslie: Mr. Samuell Austaine: Mr. Thomas Wyllie: Mr. John Moncreiff: Mr. John Bell: Mr. John Hamiltoun: Mr. James Gutterie: Mr. Hew M'Kaill: Mr. Alexander Rollock: Mr. George Hutcheson: Mr. Thomas Swintoun: Mr. John Scott: Mr. David Dicksone: Mr. James Wood: Mr. Alexander Balfour: Mr. James Hamiltoun: Mr. John Nevoy: Mr. William Gutterie: Mr. Robert Baillie: Mr. David Layng: Mr. Andro Duncason: Mr. Thomas Donaldson: Mr. William Somervell: Mr. William Jameson: Mr. Francis Aird: Mr. Mungo Law: Mr. Fredrik Carmichaell: Mr. Patrik Gillaspie: Mr. Robert Home. **ELDERS**.—Earle Eglington: Earle Lothian: Lord Brichen: Thesaurer Depute: Cesnock: Wedderburne: Whytbank: Mr. Robert Burnet: William Browne.

The Commission of the Generall Assemblie, haveing consideredit the supplicatioun of Leivetenent Collonell Rosse, Doe refer him to the Presbyterie to try the evidence of his repentance, and thereafter to receive him to publik satisfaction for his accession to the late vnlawfull Engagement, according to his degree of guiltines, and the order prescribed.

Lievtennent  
Collonell Rosse.

The Commission doeth approve the report of the Committee anent the officers of the Army, and further ordaines that the Committee of Estates be delt with for prorogating the power of the Committee for purging the Army. And in regard of the tyme that the tryell of the officers will take, in respect of the multitud of them heir attending, Therefore the Comission thinke fitt to dismissee the officers, and, after further tryell, will give ane answer to their superior officers of what concerns them to doe to them.

Concerning the  
officers of the  
Armie.

Concerning the sumonds of transportatioun, at the instance of the towne of Edinburgh, against Mr. John Nevoy and the parochiners of Newmiles,<sup>1</sup> the said Mr. John appearing personallie, my Lord Chancellour and diverse vthers of Newmiles for the said parochine, and my Lord Provest, Baillies, and Ministers

Refusal of he  
said Mr. Jhon  
Neve's trans-  
portatioun to  
Edinburgh.

<sup>1</sup> Now Loudoun.

of Edinburgh, and diverse vthers, appearing for the towne of Edinburgh, The Comission of the Generall Assemblie, according to the power given to them by the late Assemblie, haveing seriously considered the reasons *hinc inde*, for and against the said transportatioun, and haveing heard parties at length thereanent, Doe refuse the desire of the said towne of Edinburgh for the said Mr. John his transportatioun.

The Committees to meet the morne at 7 houres, and the Comission at 10 houres.

*Edinburgh, 19 Februarij 1650, ante meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Alexander Rollock : Mr. Patrik Gillaspie : Mr. James Durhame : Mr. William Somervell : Mr. Robert Home : Mr. James Stratoun : Mr. Thomas Donaldson : Mr. John Livistoun : Mr. James Fleeming : Mr. Hew M'Kael : Mr. Thomas Wyllie : Mr. John Bell : Mr. William Gutterie : Mr. George Hutcheson : Mr. Gilbert Hall : Mr. Mungo Law : Mr. Samuel Owstane : Mr. Robert Baillie : Mr. James Gutterie : Mr. John Annand : Mr. Thomas Swintoun : Mr. John Douglas : Mr. William Jamesone : Mr. John Scott : Mr. James Wood : Mr. Andro Duncason : Mr. Hew Eccles : Mr. John Nevoy : Mr. Harie Wilkie : Mr. John Hay : Mr. James Hamiltoun. *ELDERS*.—Earle Eglington : Earle Lothian : Lord Brichen : Lord Thesaurer Depute : Wedderburne : Greinheid : Grenock : Inglistoun : Whytbank : Cloberhill : David Kennedy : George Porterfeld : Mr. Robert Barclay : Mr. James Campbell : William Browne.

Refusall of the  
transportatioun  
of Mr. Patrik  
Colvill to  
Dunce.

Concerning the sumonds of transportatioun, at the instance of the towne of Dunce, against Mr. Patrik Colvill, the said Mr. Patrik appearing personallie, the Earl of Eglington and other gentlemen for the parochine of Bath,<sup>1</sup> and the Lairds of Wedderburne, Crunstane, and vthers, for the parochine of Dunce, The Commision of the Generall Assemblie, according to the power given to them by the late Assemblie, haveing seriously considered the reasons *hinc inde*, for and against the said transportatioun, and haveing heard parties at length thereanent, Doe refuse the desire of the said paroch of Dunce for the said Mr. Patrick his transportatioun.

William  
Ogilvie.

The Commission of the Generall Assembly, haveing considered the petition of William Ogilvy, and heard himself, Doe refer the petitioner to the Presbyterie of Perth to try the evidence of his repentance, and thereafter to receive him to publik

<sup>1</sup> i.e. Beath or Beith.

satisfaction for his accession to the late vnlawfull Engagement, according to his degree of guiltines, and the order prescribed.

The Commision of the Generall Assemblie, haveing considered the petition of Levtennent Colonell Merser, and haveing heard himself, Doe refer him to the Presbyterie of Perth to try the evidence of his repentance, and thereafter to receive him to publik satisfaction for his accession to the late vnlawfull Engagement, according to his degree of guiltines, and the order prescribed.

Leivtennent  
Colonell  
Merser.

The Commission of the Generall Assemblie, haveing considered the petition of Mr. David Fergusone, and having heard himself, Doe refer the petitioner to the Presbyterie of Edinburgh, to conferr with him, and try the evidence of his repentance, and thereafter to receive him to publik satisfaction for his accession to the late vnlawfull Engagement, according to his degree of guiltines, and the order prescribed.

Mr. David  
Fergusone.

The Commission of the Generall Assemblie, haveing considered the petition of Major John Hay, and having heard himself, Doe refer him to the Presbyterie of St. Androis to try the evidence of his repentance, and thereafter to receive him to publik satisfaction for his accession to the late vnlawfull Engagement, according to his degree of guiltines, and the order prescribed.

Major Jhon  
Hay.

The Commission of the Generall Assembly, haveing considerit the petition of Antonie Stewart, Capitan in the late vnlawfull Engagement, and having heard himself, Doe refer the petitioner to the Presbyterie of Wigtoun to try the evidence of his repentance, and thereafter to receive him to publik satisfaction for his accession to the late vnlawfull Engagement, according to his degree of guiltines, and the order prescribed.

Antonie  
Stewart.

The Commission of the Generall Assembly, haveing considerit the petition of Livetennent Colonell Alexander Agnew, and having heard himself, Doe refer the petitioner to the Presbyterie of Stranrawer to try the evidence of his repentance, and thereafter to receive him to publik satisfaction for his accession to the late vnlawfull Engagement, according to his degree of his guiltines, and the order prescribed.

Livetennent  
Colonnell  
Agnew.

The Commission of the Generall Assemblie, haveing considered the petition of Patrik Naper, and haveing heard him-

Patrik Naper.



self, Doe refer the petitioner to the Presbyterie of Edinburgh to try the evidence of his repentance, and to determine his satisfaction, and thereafter publickly to receive him for his accession to the late vnlawfull Engagement, according to his degree of guiltines, and the order prescribed.

Advise to the  
Presbyterie of  
Peebles con-  
cerning the kirk  
of Lyne.

Concerning the petition of the Lord Yester to the Presbyterie of Peebles, for transporting of the kirk of Lyne, The Comission of Assemblie advyses the Presbyterie to consider the petition, and the former Recomendatioun for the erection of a new kirk, and to take such course in the mater as they sall find most convenient for Gods service and the peoples accomodatioun in these bounds, notwithstanding the said recomendatioun for a new erection, the annexatioun contained therein being still preserved.

The next meeting afternoon.

*Eodem die, post meridiem.*

*Sederunt*.—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. George Murray: Mr. Samuell Austaine: Mr. Thomas Wyllie: Mr. William Gutterie: Mr. David Dickson: Mr. James Durhame: Mr. Francis Aird: Mr. Richard Inglis: Mr. James Wood: Mr. John Moncreiff: Mr. William Oliphant: Mr. Thomas Swintoun: Mr. James Gutterie: Mr. John Livingstoun: Mr. James Fleeming: Mr. Mungo Law: Mr. James Hamiltoun: Mr. George Hutcheson: Mr. Thomas Lundie: Mr. Hew Henderson: Mr. James Irving: Mr. John Nevoy: Mr. Alexander Dunlope: Mr. Patrik Gillaspie: Mr. Robert Baillie: Mr. James Nasmith: Mr. William Somervell: Mr. Alexander Balfour: Mr. Harie Wilkie: Mr. John Annand: Mr. John Douglas: Mr. Thomas Donaldsone: Mr. John Scott: Mr. James Robesone: Mr. George Leslie: Mr. Hew M'Kaill: Mr. John Hay. ELDERS.—Quhytbank: William Browne.

*'The Humble Remonstrance and Supplication of the Commission of the Generall Assembly vnto the right Honourable the Committee of Estates.*

Remonstrance  
concerning the  
purging the  
armie to the  
Committee of  
Estates.

'Albeit we will not question but that there may be some of these who were officers in the late vnlawfull Ingagement, and are now removed out of the Army becaus of their accession thereto, who may have repented of that their backsliding, and doe now endeavour to carie themselves without offence, and to whom we shall not deny to bear testimony vpon sufficient and convinceing evidences thereof; Yet many of the testimonialls which are brought vnto ws being negative only and defective,

and severall vthers of them contradicted vpon further light; and the answer to the quere propounded by the officers of the Army requyring sufficient testimonialls, We cannot vpon conscience and knowledge concurr in these testimonialls, to give these officers any testimony or approbation of their affection to the publick cause, and of a blamelesse and Christian conversatioun, which are the necessarie qualificatiouns of these who are to be entrusted as officers or souldiours in the Army. And as we acknowledge your Lordships care for purgeing of the Army, and the blessing of God therevpon, so the tyme of the Comittee for purgeing of the Army being now expyred, and a parte of their work being yet remaining, many Presbyteries not having as yet had tyme to send in their informatiouns concerning the cariage of those who are quartered in their bounds, Wee doe humbly supplicat your Lordships to take ane speedy and effectuall course for prorogateing the power of that Comittee, and that yow will also take care for filling the vaiking places in the Army with men of approven integritie and constant affection to the cause, and of a sobber and Christian conversatioun. Wee are farre from vndervalueing or despyseing abilitie and skill in warfare. Wee acknowledge that it is verie much to be regarded. But there being at this tyme in the land many who are not only of approven abilitie and skill in warfare, but also truelie well affected and godlie, we trust that your Lordships will have respect to imploy such before any others.'

The Comission of the Generall Assemblie appoints Mr. Hew Kennedy, Minister at [Midcalder], to repair to the garison of Perth, for dischargeing the Ministeriall function there, and to be ready to goe against the first of March.

Mr. Heugh Kenedie to the garisone a Perth.

The Comittee appointed for the Kings letter to meet the morne at 8 houres, and to prepare a report, and the Comission to meet vpon Thursday at 10 houres.

*Edinburgh, 21 Februarij 1650.*

*Sederunt:—MINISTERS.*—Mr. Robert Douglas, *Moderator.* Mr. George Murray: Mr. Samuuell Ousten: Mr. David Layng: Mr. James Nasmith: Mr. Hew Eccles: Mr. William Gutterie: Mr. Patrik Gillaspie: Mr. Robert Baillie: Mr. Harie Wilkie: Mr. James Gutterie: Mr. John Livistoun: Mr. Andro Duncason: Mr. Ephraim Melvill: Mr. James Hamiltoun: Mr. Alexander Rollock: Mr. Hew Henderson: Mr. Gavein

Young : Mr. James Irwing : Mr. Thomas Wyllie : Mr. John Nevoy : Mr. David Dickson : Mr. James Durhame : Mr. Fredrik Carmichael : Mr. Thomas Swintoun : Mr. Thomas Donaldson : Mr. John Scott : Mr. James Fleeming : Mr. Robert Row : Mr. Gilbert Hall. **ELDERS.**—Earle Weymes : Lord Brichen : Inglistoun : William Browne.

Lord Kenmore.

It is the opinion of the Comission, that before the Lord Kenmure be admitted to give satisfaction for his accession to the late vnlawfull Engagement, that he satisfie in the kirk of Leith for his fornication comitted there, at the least on day.

Report of  
Dumbartone.

The Commission appoints Mr. James Hamiltoun and Mr. Hew M'Kaile to present vnto the meeting of the officers of the Army the report of the Presbytery of Dumbarton concerning the cariage of Sir Charles Erskeens troupe, that they may take such course therrin as they thinke convenient.

Excommunica-  
tion of the  
Earle of  
Kinnoull and  
Mr. Henrie  
Stewart, George  
Drummond, and  
Captain Hall  
his adherents.

The Comission of the Generall Assembly, taking to their serious consideration the impious and vnnaturall cariage of George, Earle of Kinnoull, and his adherents in Orkney, and after diligent inquiry in the particulars, by the deposition of diverse witnesses and other evidences, Haveing found that the said Earle of Kinnoull had invaded the schyre of Orkney with certane officers, and was by force levieng souldiers there, and putting the said schyre in a posture of defence, against the publick cause and the Estates of this Kingdome, and that by vertue of a comision from that excommunicat tratour James Grahame, sometyme Earle of Montrose, committing also diverse insolencies and barbarities there; And that Mr. Henrie Stewart, sone to the Laird of Maynes, George Drummond, sone to the Laird of Balloch, and Captane

Hall, wer adherents to the said Earle, and pryve actors with him in the said impious and vnnaturall rebellion, Therefore the Comission of the Generall Assembly, for these horrid and perfidious conspiracies against the Solemn League and Covenant, and the publick cause of Religion, being moved with the zeale of God, in respect of the notoriety and atrocite of these crymes Doe decerne and ordaine the said George, Earle of Kinnoull, and Henrie Stewart, George Drummond, and Captane

Hall, to be sumarlie excommunicat, and declared to be such as Christ commandeth to be holden by all and everie one of the faithfull as heathens and publicans; And appoints this sentence of excommunication to be pronounced in the East kirk of this citie vpon the next Lords

day, and thereafter that publick intimation be made thereof in the severall congregatiouns of this Kirk, when advertisment shall cum vnto them.

The next meeting at 2 hours.

*Eodem die, post meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. George Murray : Mr. Hew Henderson : Mr. Gavein Young : Mr. James Irwing : Mr. Alexander Dunlope : Mr. James Durhame : Mr. Fredrick Carmichael : Mr. William Oliphant : Mr. Robert Home : Mr. William Jamesone : Mr. James Fleeming : Mr. Patrik Fleeming : Mr. Gilbert Hall : Mr. Hew M'Kaile : Mr. Thomas Lundie : Mr. William Major : Mr. Samuell Oustaine : Mr. David Layng : Mr. William Gutterie : Mr. Patrik Gillaspie : Mr. John Moncreiff : Mr. Harie Wilkie : Mr. John Aunand : Mr. James Gutterie : Mr. John Livistoun : Mr. George Hutcheson : Mr. John Hay : Mr. David Dickson : Mr. George Pitillo. ELDERs.—Swintoun : Whytbank : Mr. Robert Burnet : William Browné.

The Comission of the Generall Assembly, haveing considered the petition of George, Lord Ramsay, and haveing heard himself, Doe refer his Lordship to the Presbyterie of Dalkeith to try the evidence of his repentance, and thereafter to receive his Lordship to publik satisfaction for his accession to the late vnlawfull Engagement, according to his Lordships degree of guiltines, and the order prescribed.

Reference, Lord Ramsay to the Presbyterie of Dalketh.

The Comission of the Generall Assembly Doe hereby authorize Mr. John Livingstoun, Minister at Ancrum, Mr. James Wood, Professor of Divinity in the Vniversity of St. Andrews, and Mr. George Hutchesone, one of the Ministers of Edinburgh, Ministers, and John Earle of Cassills, and Alexander Brodie of that Ilk, one of the ordinary Lords of Session, Elders, with their full power to repair to the Kings Majestie, and present vnto him their humble desires, That he may subscribe the National Covenant and the League and Covenant, and injoyne the same, And that he may advance the work of Vniformity, and establish Presbyteriall Government, Directorie of Worship, and Confession of Faith, in all his Majesties dominions, And to deale with his Majestie to satisfie the desires of his subjects for setleing Religion and peace in his Kingdomes, And to doe everie thing for that effect, according to the instructions given or to be given to them thereanent.

Commission to those that repair to the Kings Majestie.

*Instructions for the Commissioners sent from the Commission of the Generall Assembly to the Kings Majestie, 21 Februarij 1650.*

Instructions.

‘It is necessarie that yow adhere vntill<sup>1</sup> all the former instructions, and that yow prosecute seriously all the particulars contained therein.

‘The tennour of these Instructions followeth :—

‘Yow shall be carefull to try, so far as yow can, what is the Kings inclinatioun and dispositioun, what are his principles, who are his counsellours in whom he most confides, and whose counsels he most followes, and especiallie how he is grounded in Religion, what countenance he gives, or what affection he bears to Prelacie, the Service Book, and the government, worship, and ceremonies that were in the Kirk of England, and what forme of worship he vses in his family, what Ministers he hath with him, and whither he seeks God in secrete.

‘2. Yow shall expresse our deepe sense and detestatioun of the proceedings of the Sectaries against Religion and Government, and of their proceedings against the person and life of his Majesties father.

‘3. Yow shall represent to him the affection of the Kirk of Scotland vnto Monarchie, and to the continuance of the same, as in the person of his father, so in his person and posteritie.

‘4. Yow shall shew him how Presbyteriall Government is not only consistent with, but helpfull to Monarchie, and take of calumnies to the contrarie.

‘5. Yow shall represent vnto him our faithfull dealing with his father, and our continuing constant in our principles in reference to Religion and Government, without declyning vnto the extreams either of Malignants or Sectaries.

‘6. Yow shall in a discrete way, at fitt opportunities, represent vnto him the sins of his house because of opposition to the work and people of God, and perswade him therevpon to humble himself vnder the Lords hand, that the guilt thereof may be taken away.

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<sup>1</sup> i.e. Unto.

'7. Yow shall labour to informe him of the things contained in the Nationall Covenant, and League and Covenant, and the true grounds of our and Englands entering thereinto, and to perswade him to subscribe these Covenants, and to enjoyne the same, and to advance the work of Vniformity, and establish Presbyteriall Government, the Directorie of Worship, and Confession of Faith and Catechisme, in all his Majesties dominions; And yow shall shew him how that this is the only and effectuall way for securing of Religion, establishing his Throne, and setleing and secureing the vnion and peace of these Kingdomes.

'8. Yow shall take occasion to shew him that Prelacie is contrary to the Word of God, and was a meere vsurpation in Scotland, and never established by a law, and that he is as yet vnder no oath nor obligation, as his father was, for Prelacie in England.

'9. Yow shall labour to perswade him to lay aside the Service Book, if he vse it in his family, and to conforme himself to the practise of the Kirk of Scotland.

'10. Yow shall effectually and seriously represent to him the evill of the counsell and designes of the Popish, Prelaticall, and Malignant party, and particularlie of these that have been evill instruments in disturbing the peace of the Kingdoms, or are now risen to trouble the peace of this Kingdome, and labour to perswade him to forsake their counsell and courses, and to cleave to those that are straight for Religion and Government, and will be faithfull both to God and him.

'11. Yow shall shew him that we look vpon the former idolatrie of his mother as a maine cause of the evils, both of sin and punishment, that have afflicted these Kingdoms, and therevpon seriously represent vnto him the evill and danger of a Popish marriage, and labour to diswade him from marying any that is not of the Reformed Religion.

'12. Yow shall labour to perswade him to hearken to the desire both of Kirk and State as that which will secure Religion, establish his Throne, satisfie his People, and settle Peace.

'(2) In manageing of the sevinth preceeding Instruction, yow

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are, in reference to the necessarie securitie for Religion to be given by his Majestie, to labour to perswade the King, with all the arguments yow can, to sweare and subscribe the Nationall Covenant, and the Solemne League and Covenant, in the words following, to be subjoynd to both the Covenants:—

“I, Charles, King of Great Britane, France, and Ireland, doe assure and declare by my solemn oath in the presence of the Almighty God, the searcher of hearts, my allowance and approbation of the Nationall Covenant, and of the Solemne League and Covenant, aboue written, and faithfullie oblige myselfe to prosequut the ends thereof in my station and calling; and that I for myselfe and successours shall consent and agree to all Acts of Parliament injoyning the Nationall Covenant and Solemne League and Covenant, and fullie establishing Presbyterianiall Government, the Directorie of Worship, Confession of Faith, and Catechismes in the Kingdome of Scotland, as they are approven by the Generall Assembly of this Kirk and Parliament of this Kingdom; And that I shall give my Royall assent to Acts of Parliament injoyning the same in the rest of my dominions; And that I shall observe these in my owne practise and familie, and shall neuer make opposition to any of these, or indeuour any change thereof.”

‘(3) If it shall be questioned, yow are to declare vnto, and informe his Majestie, That his Majesties so swearing and subscribing the Nationall Covenant and the Solemne League and Covenant in maner aboue written, doth not only import his allowance thereof to his subjects, but also his approbation of both in all the heads and articles of the same in regard of his owne privat judgement.

‘(4) In manadgeing of the preceeding tenth Instruction, yow are, with the best reasons yow can vse, to labour to perswade the King to abandon the counsell and fellowship of all the Popish, Prelaticall, and Malignant partie; and that, if he resolve to come into Scotland, he would leave behind him such as are excepted in the Propositions of both Kingdoms, or against whom this Church and Kingdome hath just exception, and

more particularlie these Chaplanes that are now about his Majestie.

‘(5) Yow are gravely to represent vnto the King the great scandall and guilt of granting vnto the Irish rebels in Ireland the libertie of Popish Religion, and of his Majesties giving Comission (especiallie vnto that excommunicat tratour, James Grahame) to raise a war and shede the blood of his subjects in this Kingdome, and to shew him that there can be but small or no hopes of any blessing expected from God in any thing that concernes his Majesties honour, happinesse, and government, as long as he employes his power against the work and people of God.

‘(6) Yow shall keepe correspondance with the Comissioners sent to his Majestie from the Comittee of Estates.’

‘MAY IT PLEASE YOUR MAJESTIE,—Albeit your Majesties delaying to grant the just and necessarie desires of this Kirk, for secureing of Religion, be vnto ws mater of much sorrow and affliction of spirit, as that which increases the fears of all the lovers of truth and righteousness in these Kingdoms, and hightens the hopes of all the enemies of Jesus Christ and of your Majesties throne, as well the Malignants, who were the authours and abettors of many evill counsellis vnto his late Majestie, as the Sectaries, who are guilty of the overturning of Religion, and of the murdering of your royall father; Yet it is vnto ws no small joy to hear from your Majestie any profession of a reall and passionat desire to agree with your subjects, and of your readines to condescend to all their just and reasonable demands, for the settleing of a right vnderstanding between your Majestie and them, and procureing their future peace and happines. And your Majestie may be confident that, as we have hitherto, so we will still sincerely intend and effectuellie indeavour in our stations and callings such ane agreement as may bring forth the secureing of Religion and your Majesties establishment both at once. It is in order to these ends that we doe daylie send vp our prayers and supplicatiouns in privat and in publick on your Majesties behalfe, and that we did formerlie send Commissioners to your Majestie, and did since that tyme wryte by the Lord

Letter to the  
Kings Majesty.



Libbertoun, expressing our humble and necessarie thoughts in no vther way then conscience of our duetie to God and of our faithfulness and loyaltie to your Majestie doth call for at our hands. And vnles we would betray the trust comitted vnto ws of Jesus Christ, and be found vnfaithfull in the day of our accompts, we dar not but still presse the same things, and desire your Majestie, as in His sight who is the Searcher of hearts, to consider thereof, and hearken therevnto, as the only means of secureing Religion, and making your Majesties peace with God, and establishing yow vpon your throne, and procureing the peace of these Kingdoms, which have so long been wasted with a destroying sword by the crueltie and malice of the enemies of Religion and Righteousnes. Albeit the many experiences of the goodnes of the Lord, and of His hand stretched out on our behalf, may teach ws not to fear but that He will be a wall of fyre round about His people, and the glorie in the midst of them; Yet it cannot but be unto us mater of sad mourning to hear that your Majestie, who should be the protector of Gods people, should give commissions to invade this land, and that vnto an excommunicate and perfidious man, who is justly abhorred of all that love this Nation; and that your Majestie should allow the libertie of the Popish Religion vnto the rebels in Ireland, who in a most cruell way shed the blood of so many thowsands of your good subjects there. As there is an exceeding great scandall and guilt in these things, so, vnles we would dissemble our duetie, we cannot but professe and warne your Majestie, in the name of the Lord, that if your Majestie owne, and doe not disclame these things, that there can be small or no hopes of a blessing vpon any means that shall be assayed for the establishment of your Majestie vpon the throne of these Kingdoms. Notwithstanding of any temptations and obstructions of that nature, yet to testifie the vnfained affection which we have to your Majestie, and to Monarchicall Government in your person and posteritie, wee have againe sent Comissioners vnto yow, who will fullie remonstrat vnto your Majestie our just and necessarie desires concerning Religion and the Covenant, and such other things as doe relate thereto and to your Majesties happinesse. And as we trust that your Majestie will give credit to them in those things, so we humblie supplicat that your Majestie will

hearken to our desires propounded by them, which shall be the joy of

Your Majesties most loyall and humble subjects and  
servants in Jesus Christ,

*Edinburgh,* THE COMISSIONERS OF THE GENERALL ASSEMBLY  
21 *Februarij* 1650. OF THE CHURCH OF SCOTLAND.'

‘REVERENDISSIME ET IN CHRISTO FRATER DILECTISSIME,—*Literas tuas, quibus ad nostras respondisti, omni humanitate et propensæ erga ecclesias Christi apud nos benevolentiae significatione plenas, gratulabundi accepimus. Quum illæ a Delegatis nostris Nationali Synodo datæ sunt, et publice semel atque iterum lectæ, omnium audientium animas gaudio affecerunt, quod tibi, viro eximio, cui omnes Ecclesiæ Reformatæ plurimum debent, etiam nostra Ecclesia curæ sit et cordi. Quo nomine gratias tibi agimus, quam verbis exprimere aut animo concipere possumus maximas; dedit enim nobis in mandatis Synodus, vt quamprimum opportuna se offerret occasio, tibi notum faceremus quam gratum omnibus tuum fuerit studium erga Ecclesiæ nostræ puritatem et pacem, causamque quam tuemur, et indefessis prosequimur animis, cum assiduis ad Deum precibus, tum iteratis ad serenissimum Regem nostrum Legationibus, contententes, vt tandem voti compotes, per Dei gratiam, puritate Religionis et pace fruamur. Testem enim habemus Deum, nihil nobis antiquius, nihil nobis gratius esse posse, quam vt Religio cum iustitia, veritas cum pace, sub serenissimo Domino nostro Rege Carolo stabilitæ floreant. Hinc est quod ordines Regni secundam hanc publicam et solemnem Legationem, per probatissimos et lectissimos viros, decreverint, quibus nos etiam e nostris nonnullos adjunximus, vt tandem, si per Dei erga Ecclesiam et Regem nostrum propitii voluntatem fieri possit, ille votis nostris justissimis annuendo, auresque suas adversus pravorum noxia consilia obturando, avito Regno, cum Dei benedictione, nos Religione et pace sub illo potiamur: ita enim cum bono Deo speramus CAROLUM SECUNDUM non tantum majoribus suis, sed et omnibus aliis Regibus, Christi Regnum stabiliendo et propagando, feliciorem et illustriorem futurum. Qua in re sinceri nostri animi rationes et documenta Delegati nostri pluribus coram explicaturi sunt. Te insuper rogatum volumus,*

ut hos consilio juves, causamque nostram, vel Dei potius, pro autoritate, qua plurimum apud omnes vales, promovere studeas. Nec opus esse arbitramur, vt pluribus hoc abs te flagitemus, qui propensum erga nos animum tuum per literas tuas nobis abunde significaveris. Benedicat Dominus conatibus nostris, vt in omnibus Ecclesiis Reformatis personet ejus nomen, in gloriam Domini nostri Jesu Christi, in quo nos sumus,

Tui Studiissimi Fratres,

SYNODI NATIONALIS SCOTICANÆ DELEGATI,

Et Nostro Nomine.'

*'Clarissimo viro ac fratri in Christo Dilectissimo,  
D. Andreae Riveto, in Academia Lugduno-  
Batava, Sacræ Theologiæ Professori.'*

Deposition of  
Mr. Robert  
Balcanquale.

The Commission of the General Assembly, haveing considered the processe against Mr. Robert Balcanquhall,<sup>1</sup> reserved vnto them by the late Assembly, together with the sentence of Suspension given by the said Assembly against him for the particulars following, viz. :—1. For the neglect of the exercise of his calling, particularlie in relation to the house of Winton. 2. For his praying for the late vnlawfull Engagement, saying, God blesse all these that have the managing of peace and warr both at home and abroad. 3. For his reflecting vpon the Declaratioun of the Comission of the late Generall Assembly. 4. For his reflecting vpon the Parliament and their Comittees in these words, We want both King and statemen, and everie man is King day and about. And the Comission, after hearing the said Mr. Robert diverse tymes, personallie present, and a further reveue of the said processe, finding lykewayes these particulars proven, viz. :—1. That he did permitt without any opposition the reading of a paper in his kirk before the blessing, which was some order from the Committee of the Schyre for the tyme for the advancing of the late Levie vnder the Earle of Lanerk, the said Earle being then present in the kirk. 2. That, by his owne confession, these seven yeirs he hes vsed one sett forme of words in praying for these who have the managing

<sup>1</sup> He was minister of the parish of Tranent, and had been suspended by the General Assembly in 1649 'for being accessory to the Divisive supplies'—Scott's *Fasts*, vol. i. p. 358.

of affaires, and that without alteration at home or abroad at any occasion. 3. That he reflected vpon the Ministry, in his sermon vpon 17 of September 1648, vpon Lamentations 3. 20, saying that Jeremiah did not as many who call themselves Ministers of the Gospell now-a-daves, for he, when he fortold judgements, lamented for them when they came, but they triumph and rejoyce when judgements come. 4. He administered the Covenant in his congregatioun, contrare to the orders of the Presbyterie, without considering the Act of Explanation. 5. That he hes given the Communion these many yeirs past to such of his congregatioun as neither heard the sermon goeing before nor the thanksgiving sermon thereafter. 6. That he hes not had a Session book for the space of tuentie yeirs or there about. 7. He did not labour with my Lord Wintons dochters, who were betuixt 12 and 15 yeirs of age, for bringing of them to the kirk, nor did he ever represent the mater to the Presbyterie, that they might take course therein. And the Comission, according to the power given to them for further tryell and censure, judging all these particulars to deserve Deposition, Doe therefore depose the said Mr. Robert Balcanquhall from the function and all exercise of the Ministerie; Declaring his kirk to be now vaiking; and recommends to the Presbyterie of Hadingtoun to plant the same with diligence; and Mr. Archbald Douglas is hereby appointed to intimat this sentence in the kirk of Tranent the first Sabbath after advertisement.

The Commission of the Generall Assembly, finding a necessitie of a frequent meeting here in this towne in the begining of the moneth of March, in respect of the meeting of the Parliament, Doe therefore judge it necessarie that the Moderator advyse the Visitours of Angus to continue the nixt meeting of that Visitation, whilk is vpon the second Wednesday of March, to the third Wednesday of Maij, that the members of the Visitation who are members of this Comission may be here present in March, and that letters be written to them for that effect with diligence.

The Commission of Assembly Doe humbly recomend to the honourable Comittee of Estates that they wold be pleased to give order for the apprehending of Mr. James Kennedy, a notorious pryemalignant, excommunicat for his rebellion and Malignancy.

The nixt meeting at 7 hours in the morning.

Continuatioun  
of the Visita-  
tioun of Angus  
to May.

Mr. James  
Kennedie.

*Edinburgh, 22 Februarij 1650.*

*Sederunt: MINISTERS.*—Mr. Robert Douglas, *Moderator.* Mr. Hew Henderson: Mr. John Scott: Mr. John Nevoy: Mr. David Dickson: Mr. James Durhame: Mr. John Moncreiff: Mr. Robert Home: Mr. Thomas Donaldson: Mr. Mungo Law: Mr. William Major: Mr. Samuel Owstane: Mr. Thomas Wyllie: Mr. William Gutterie: Mr. Patrik Gillaspie: Mr. William Row: Mr. Fredrik Carmichael: Mr. James Gutterie: Mr. John Livingstoun: Mr. James Hamiltoun: Mr. George Hutchesone. *ELDERS.*—

Recommendation  
to the Magis-  
trats of Edin-  
burgh.

The Commission of the Generall Assembly recomends to the Ministerie of Edinburgh to speake with the towne of Edinburgh to be thinking vpon a place for a comodious house for the Assembly, and to report against the nixt tyme the Comission sits.

Preacher to the  
Parliament.

The Commission of Assembly appoynts the Moderator, Mr. Robert Douglas, to preach to the Parliament at the first day of their nixt meeting.<sup>1</sup>

Recommendation  
to the ministers  
of Edinburgh  
concerning  
erroneous  
bookes.

The Commission of Assembly refers and recomends to the Presbyterie of Edinburgh to tak speciall search and tryell of any buiks of Sectaries, or vther erroneous books or papers brought home or ventit in this countrey, and to put the Act of the Generall Assembly in executioun, authorizing them with full power for that effect; wherein they are also to seek the concurrence of the Civill Magistrat, if they see necessitie.

Letter to the  
Presbyterie of  
Stranrawer con-  
cerning Mr.  
John Dick trans-  
porting to the  
Queensferrie.

‘*REVEREND BRETHREN,*—The Commission haveing appointed Mr. Ephraim Melvill to transport from Queensferrie to Linlithgow, the congregatioun of Queensferrie have chosen Mr. John Dick, on of your number, to be their Minister; and they being now to prosecut his transportatioun before yow by their Commissioners, We cannot but desyre that yow will impartiallie take notice of the great necessitie of that part, and of the great number of soules that are in the parochine of Queensferrie. We shall be far from encroaching vpon your liberties, or assuming to our selfis anie authority or power to judge in the bussines, But we trust that in this particular yow will walk vpon these grounds that the Generall Assembly have in their overtures holden furth to be sufficient causes of

<sup>1</sup> On 7th March ‘*after devyne service*’ the Parliament was formally opened. See *Acts Parl. Scot.*, vol. vi. pt. ii. p. 555.

granting or denying transportatioun, and that yow will cary yourselves so in the whole bussines that the congregatioun of Queensferrie have no just cause, either because of needles delay, or of wrong judgement, to appeale from your Presbyterie. So comending yow and your labours to the blessing of God, and continew,

Your loving brethren,

THE COMMISSIONERS

OF THE GENERALL ASSEMBLY.'

The Commission, vnderstanding that Mr. Robert Lowrie hes taken some paines in putting the Scripturall songs in meter, They therefore desire him to present his labours therein to the Comission at their nixt meeting.

Scripturall  
Songs.

The Commission of the Generall Assembly continowes the matter concerning Thomas M'Kenzie of Pluscardine vnto the 8 of Maij next, and appoints him to be personallie present that day at Edinburgh, with certificatioun, if he appear not, his absence shall be taken for contempt, and he proceeded againes accordingly; And the extract hereof given to George Stewart, who delivered his letter to the Clerk, shall serve for sufficient advertisement.

Laird Pluscar-  
dine.

The Commission appoynts sumonds to be sent to Generall Major Midletoun for his appearing before the Comission at their nixt meeting, and that letters be written to the Presbyterie for spedy executioun thereof.

Generall Major  
Midletoun.

The Commission of the General Assembly refers the Earle of Hartfell to the Provincial Assembly of Drumfreis, giving vnto them full power of tryall and censure, and to doe everie thing which they might doe themselves thereanent; and in their procedour with him they shall yet take any further tryell they can concerning his cariage.

Reference con-  
cerning Earle  
Hartfell.

The Commission of the Generall Assembly, haveing considered the petition of Sir John Greirson of Lagg, knight, Doe referr him to the Presbyterie of Lochmaben to try the evidence of his repentance, and thereafter to receive him to publick satisfaction for his accession to the late vnlawfull Engagement, according to his degree of guiltinesse, and the order prescribed.

Reference—Sir  
John Greirson  
Younger of  
Lagg.

The nixt meeting at 5 houres in the afternoon.

*Eodem die, post meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. James Hamiltoun : Mr. John Livingstoun : Mr. Andro Duncanson : Mr. Gavein Young : Mr. Ephraim Melvill : Mr. James Robieson : Mr. James Nasmith : Mr. George Hutcheson : Mr. Samuell Owsten : Mr. William Major : Mr. Mungo Law : Mr. Hew M'Kaile : Mr. George Lealie : Mr. Alexander Dunlope : Mr. James Wood : Mr. Alexander Rollock : Mr. Robert Row : Mr. Francis Aird : Mr. David Dickson : Mr. John Douglas : Mr. David Layng. *ELDERS*.—Earle Cassills : Scotiscraig : Whythbank : Mr. Alexander Colvill : Mr. Robert Burnet : David Kennedy.

Recomenda-  
tion—Mr. Pat-  
rik Waterstoun  
and Mr. James  
Moresone to  
Perth.

The Commission of the Generall Assembly, considering that Mr. James Morieson and Mr. Patrik Waterstoun<sup>1</sup> are kept from their charges by the insolencies of the rebels in Orkney, They doe therefore recomend them to their brethren of the Presbyteries within the Sheriffdome of Perth, that they may be pleased to imploy them for the exercise of their talents God hes given them in the Ministerie, as they find occasioun, and for provyding some meane of subsistence to them in the mean tyme, vntill it shall please God to make way for their retorne to their owne Congregatiouns, for discharging their functions there with freedome and saftie.

Letter to  
Presbyteries.

‘RIGHT REVEREND AND LOVEING BRETHREN,—We did recomend to your severall Presbyteries formerlie to take speciall care to prosecute the provision of their kirks, according to the Act of Parliament, and to seik the annexatiouns and erections necessarie before the Comission for planting of kirks. But now vnderstanding that not many are come from your parts in this late session of that Judicatorie, Therefore we lay it vpon yow to take such care as yow find so necessarie a work requyre, that everie Presbyterie sie these things prosecute at the nixt meeting of the Comission for planting of Kirks in Junij ; and especiallie that these Kirks that are in Strespey and Strabogie be cared for, and their provisions settled ; and that the severall Presbyteries be ready to make accompt of their diligence herein to the nixt

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<sup>1</sup> Morieson was minister of Evie and Rendal, Waterstoun of Stronsay and Eday.

Generall Assembly. We comend yow and all your labours to the Lords blessing, and remaines,

Your loveing brethren,

Edinburgh,  
22 Februar 1650.

THE COMMISSIONERS  
OF THE GENERALL ASSEMBLY.'

'Direct:—*To the Right Reverend the Brethren of the Provinciall Assembly of Murray.*'

The Commission of the Generall Assembly, haveing con-  
sidered the petition of James, Earle of Buchan, Doe referr his  
Lordship to the Presbyterie of Dundie to try the evidence  
of his repentance, and thereafter to receive him to publick  
satisfaction for his accession to the late vnlawfull Engage-  
ment, according to his degree of guiltines, and the order  
prescribed.

Reference con-  
cerning Earle  
Buchan.

The Commission appoints the Laird of Philorth to be sent  
here against their nixt meeting in Maij, that accordingly they  
may consider of his repentance for his accession to the late  
vnlawfull Engagement.

Laird Phillorth.

The Commission thinks fitt that there be a solemn Fast  
for a blessing to the travells of the Comissioners with his  
Majestie, beside the vther causes of our former humiliation,  
and refers the day to be given notice of by the Moderator and  
the brethren of Edinburgh, after conference with our Comis-  
sioners thereanent.

Solemne Fast.

The Commission appoynts the Moderator to wryte letters to  
Presbyteries, that they may send in any informationes they  
have concerning the prophanity, Malignancy, or disorderly  
cariage of officers and souldiers to the nixt meeting of the  
Comittee appointed by the Committee of Estates for purging  
the Army.

Letters to  
Presbyteries.

The nixt meeting to be vpon advertisment from the Mode-  
rator, if he find necessitie, to meet before the nixt dyet of the  
quarterlie meeting.



*Edinburgh, 9 Maij 1650, ante meridiem.*

*Sederunt* :—**MINISTERS**.—Mr. Robert Douglas, *Moderator*. Mr. John Dalzell : Mr. Mungo Law : Mr. Hugh M'Kaell : Mr. David Dicksone : Mr. Hew Campbell : Mr. George Leslie : Mr. George Bennet : Mr. Andro Duncason : Mr. James Robieson : Mr. Arthur Forbes : Mr. Patrik Fleeming : Mr. John Hay. **ELDERS**.—Lord Angus : Lord Wariestoun : Lord Southhall : Sir John Cheisly : Laird Niddrie : Mr. Alexander Colvill : Mr. Robert Burnet : Robert Lockhart : William Browne.

Reference—  
Colonell Wil-  
liam Lockhart.

The Commission of the Generall Assembly, having considered the petition of Collonell William Lockhart, and having heard himselfe, personallie present, expresse very much sense of his sinne and offence for his imployment in the late vnlawfull Engagement, And being well satisfied with the sensible acknowledgment in his said petition of that his sinne, and with his verball expressions to the same effect, Conceiving also good hopes of his better cariage for the future from his present promises, and the experience of his former good behaviour and activitie in the publick cause with the hazard of his life,<sup>1</sup> Therefore they doe referr and seriously recomend him to the Presbytery of Lanerk to receive his satisfaction, and thereafter to admitt him to the Covenant.

Indiction of a  
Thanksgiving  
for the defeat  
of James  
Grahame in  
the north.

The Commission of Assembly appoynts Wednesday nixt, the 15th of this moneth, to be a solemne day of Thanksgiving for the late victorie in the North, in the defeating of James Grahame, and that the letter following, with the printed relation of the victorie, be sent to Presbyteries for that effect :

Letter to  
Presbyteries.

‘**REVEREND AND LOVEING BRETHREN**,—By the inclosed relation of the Lords great and mercifull deliverance of this Kirk from the intended violence and oppression of that excommunicat traitor, James Grahame, who, with the assistance of strangers and some vnnaturall contriemen, had invaded the North parts of this Kingdome, yow will perceive how farre we are ingaged to acknowledge and beare testimony to the goodnes and power of our God for so wonderfull and seasonable a mercie. Therefore, that for this day of salvatioun, amongst many vther

<sup>1</sup> Colonel Lockhart (Lanark) had taken the side of the Covenanters in their earlier struggles, but his zeal in the cause had cooled after he was knighted by Charles I. He soon after this date submitted to Cromwell, and was made a senator of the College of Justice.

former mercies, the Lord may have the praise and glory, to whom it only belongeth, We have appoynted the fyftene day of this moneth to be a day of publick and solemne thanksgiving in all your Congregations; and if this advertisment come not tymely to your hands, yow shall take the nixt convenient day thereafter. We comend yow and the Lords people in this work to His gracious assistance, and remain,

Your loving brethren,

Edinburgh,  
9 Maij 1650.

THE COMMISSIONERS  
OF THE GENERALL ASSEMBLIE.

The Commission appoints Mr. Robert Douglas and Mr. David Dickson to preach to the Parliament vpon Wednesday nixt,<sup>1</sup> the day of publick Thanksgiving, and Mr. Mungo Law and Mr. George Leslie to supplie their places in the Eist kirk.

Preachers to  
the Parliament.

This day the Moderator produced a letter from our Commissioners with the King direct to him, with a paper inclosed, and the Lord Loran and the Lord Register, for Correspondence with the Committee of Estates, produced the letters sent to their Lordships, all which being red; and lykeways Mr. James Dalrump, sent expresse from the Comissioners, having made a verbal relation of the progresse of the Treaty with his Majestie, The Comission of Assembly thinke fitt to continue all that bussines vntill a more frequent meeting the nixt week, and appoynts letters also to be written to the brethren to conveen more frequently in respect of the importance of the matter in hand. Tenor of the said letter to Mr. Robert Douglas and the inclosed paper followeth:—

Letter from  
our Commis-  
sioners with a  
paper inclosed  
to the  
Moderator.

‘REVEREND AND LOVING BROTHER,—Before this we neither had matter nor opportunity to wryte, and now but litle. Wee landed safe at Campheir on Tuesday the 12th of March. On Thursday after we kept a fast in the Scotts Kirk, where our

Letter from our  
Commissioners  
with the King.

<sup>1</sup> The 15th May—the day of public thanksgiving—was the opening day of ‘the fifth session of the second Triennial Parliament of our Sovereign Lord, Charles II.’ and the minutes bear that ‘after divyne service the sermones being maid be Mr. R<sup>t</sup>. Douglas and Mr. David Diksone . . . The Lord of Argyll askit instrumentis upoun the productione of the honoris in the face of Parliament, viz., the croun, scepter, and sword, whiche wer thane delyvered to the Laird of Scottiscraig in name of the Erle Marchel,’ vol. vi. pt. ii. p. 562.

countrey men joyned with ws. On Fryday, by water we came to Bergenvpshome, where the King landed on Saturday morning, and went thorough to this place, whether we followed him that night. On Tuesday the 19th instant we had accesse, and delivered our letters. It was not thought fitt to give in any papers till the Prince of Orange came, with whom we might advise, and who, its thought, would assist ws. He being detained at the Hague anent disbanding some of the Army, both the King and we sent to him, who came hither on Saturday last late, and went away yesterday morneing early, resolving to returne about the end of this weeke. We had prepared our papers the last week, the summe whereof being imparted to him, yesterday both the Commissioners from the State and we did present them to the King; the copy of ours yow will receive here inclosed. We cannot say much as to the event. We heare the King is like to stick much at the League and Covenant, and the making voyde the peace with the Irish; and is like to vrge for some assurance what we will doe for him, and for those whom he esteemes his friends. Wee are not yet come to the thronge of our difficulties, but we trust the Lord shall help ws to be faithfull, for the which we crave the help of your prayers, and rests,

Your loving brethren and servants,

	<i>Sic subscribitur,</i>	M. J. A. WOOD,
<i>Breda, March 28th</i>	CASSILLIS,	G. HUTCHESONE,
<i>April 5th</i> 1650.	A. BRODIE,	JO. LIVINGSTONE.'

'Direct:—*For our Reverend and Loveing Brother, Mr. Robert Douglas, Minister at Edinburgh.*'

'MAY IT PLEASE YOUR MAJESTIE,—Albeit it was no small greefe of heart to the late Generall Assembly of the Kirk of God in your Majesties ancient Kingdome of Scotland, that the humble desires of that Kirk, so much concerning the glory of God, the good of Religion, your owne honour and happines, the peace and safety of your Kingdomes, presented the last yeare to your Majestie at the Hague, did not receive a satisfactory ansuere; Yet the Comission appointed for the publick affaires of the Kirk, from the tendernesse and vprightnesse of their affec-

tion, and for a testimony of their constant loyalty towards your Majestie, have againe sent ws, their Commissioners, to declare and testifie in their name, and in name of the whole Kirk of Scotland, that as they doe still more and more detest and abominate that horride and vnparalled murther committed by the Sectaries of England vpon the person of your Royall Father, so that it is their vnfained and earnest desire and prayer to God, and shall be their reall endeavour to the vtmost of their power, according to their places and callings, that the ancient Monarchicall Government of these Kingdomes may be established and flourish in your Majesties person, and be continued in your Royal Family to all generatiouns. They have also appointed ws to renew and prosecute their humble desires, formerlie represented to your Majestie, for establishing and preserving Religion and the peace of your Kingdomes, and for promoteing the work of Reformation therein, which are :—

‘That your Majestie would be pleased to assure and declare, by your solemne oath and subscription, your allowance and approbation of the Nationall Covenant of Scotland, and of the Solemne League and Covenant of Scotland, England, and Ireland ; And that yow doe faithfully oblige yourself to prosecute the ends thereof in your Royall station and calling ; And that yow will for your selfe and your successors consent and agree to all Acts of Parliament enjoyning the Nationall Covenant, and the Solemne League and Covenant, and fully establishing Presbyteriall Government of the Church, the Directory of Worship, the Confession of Faith, and Catechismes, in the Kingdome of Scotland, as they are already approven by the Generall Assembly and Parliament of that Kingdome ; And that yow will give your Royall assent to Acts of Parliament enjoyning the same in the rest of your dominions ; And that, laying aside the use of the Service Book, yow will observe these in your owne practise and family, and shall never make opposition to any of them, nor endeavour any change thereof.

‘If it shall please the Lord to inclyne your Majestie cordially to give the wished satisfaction to these humble desires of the Kirk of Scotland, and to the desires of the Parliament of that Kingdome, presented to your Majestie by their Commissioners, As we are well assured that it will comfort

and revive the spirits of all your good subjects in the three Kingdomes, now deeply afflicted because of the vnsetled condition of Religion, and your Majesties distresses, and will enlarge their hearts with all chearfulness to imbrace your Royall person, and to submitt vnto your Government, So we may confidently promise in the name of our Lord that your Majestie shall finde favour with God, peace and joy to your soule, and deliverance in due time out of your sad afflictions. Wee doubt not but there are many, who, eyeing their owne advantages more then your Majesties happines, are and will be diligent to beare in vpon your Royall heart many prejudices against the matter of these our desires, especially against the Solemne League and Covenant. But with all we are confident that, when your Majestie, haveing seriously sought light and direction from the God of Truth, shall have duely considered all of them, yow shall finde no thing therein contained but that which is agreeable vnto and warranted by the Word of God ; and that in the League and Covenant there is no thing but what tends to the glory of God, the promoveing of the Kingdome of Christ, your Majesties true honour and happinesse, and the safety, vnion, and peace of your Kingdomes ; And that, as the engaging therein at first was necessarie for those ends, so your Majesties joyning therein now is the necessary, and will prove the most effectuall, meane, by the blessing of God, for vniting your Majestie and your good subjects in one, for disappointing and defeating the designes of all the enemies of the truth of God, and of your Majesties just rights, and for ane happy bringing of your Majestie vnto, and firme establishing yow vpon, the throne of all your Kingdomes. Only before we close, we doe in all humility begg leave, as the messengers of God, to warne your Majestie of that which, if it be not layed to heart and forsaken, may, yea, cannot but, prove a sad obstruction in the way of your Majesties prospering, namely, your Majesties granting to the Irish rebells the liberty of the Popish Religion, contrary both to the Word of God and to the standing law as made by your Royall progenitors, and giving comission, especially to that most justly excommunicate rebell, James Grahame, to raise new troubles in your Majesties Kingdome of Scotland. Certainly the guiltynesse of these courses before God, and the

scandall given thereby to all the Reformed Kirks, is exceeding great; And there can be but small or no hopes of any blessing expected from God, in any thing that concerns your Majesties honour and happinesse, so long as your Majestie joynes with or countenanceth those who are enemies to the truth of Christ, and hatefull to God, and imployes your Royall power against His work and people. It will be your Majesties wisdome to acknowledge the sinne, and to humble yourselfe before God vnder the sense of these things, to seek pardon thereof from Him through the blood of Christ (which is able to wash away all your sinnes), and to forsake them without delay. The desire we have to be faithfull to our supreeme Lord and Master, and the vprightnesse of our affection towards your Majestie, have ledd ws to this freedome, which we hope, through the Lords grace, your Majestie will, after the example of that gracious King, take as a kindnesse, and as ane excellent oyle, which shall not break your head, and that it shall be no greefe of heart to your Majestie that you have hearkened to this humble and faithfull advice.

*Sic subscribitur,*

CASSILLS,

A. BRODY,

JO. LIVINGSTOUN,

JA. WOOD,

GEO. HUTCHESONE.'

*Breda, March 25th*  
*April 4th* 1650.

The brethren thinke fitt to meet againe this afternoon.

*Eodem die, post meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. John Dalzell : Mr. Mungo Law : Mr. Hugh M'Kaell : Mr. Andro Duncason : Mr. James Robieson : Mr. David Dickson : Mr. Hew Campbell : Mr. George Leslie : Mr. George Bennet : Mr. Arthur Forbes : Mr. Patrick Fleeming : Mr. John Hay. ELDERS—Lord Southhall : Inglistoun : Mr. Alexander Colvill : Robert Lockhart : Mr. James Campbell : William Browne.

'RIGHT HONOURABLE,—Wee cannot but praise the great name of our God, who hes so tymeously refreshed this land, and so highly honoured yow, His instruments, in the late wonderfull and vnexpected defeat of these His enemies, who were making head in the North : Which meane of God, as it puts a new obligatioun on the Kingdome, so it is a large doore of hope

Letter to the  
Leivtenant  
Generall,

that the Lord shall carry on His work in the hand of His instruments, and a new encouragement of yow, and these vnder your command, to prosecute that His cause against whatsoever difficulties and opposition, depending on Him who is the Lord of Hosts. For the Lords so great a deliverance wee have appointed a solemn day of thanksgiving, to be kept in all the congregations of this Kirk the fyftene day of this moneth, or so soon as our letter shall come to their hands; wherein we desire yow to joyne with ws, either that day or the first convenient weekday after this advertisement. So comending yow in all your noble vndertakings for this Kirk and Kingdome to the Lords gracious assistance, Wee remaine,

Your affectionat friends and servants in the Lord,

THE COMMISSIONERS

OF THE GENERAL ASSEMBLY.'

*Edinburgh, 9 May 1650.'*

'Direct:—*To the right honourable the Generall Leivtenant and remanent officers of the Armie.'*

The Commission, having considered the letter of the Presbyterie of Kelso concerning the now Earle of Roxburgh, and having heard his Lordships selfe, thinke fitt to returne to them this answer:—

Letter to the  
Presbyterie  
of Kelso.

'REVEREND AND LOVING BRETHREN,—Having vpon your letter heard my Lord Roxburgh expresse his desires to be admitted to the Nationall Covenant and the League and Covenant, and to prosecute all the ends thereof, we are very hopefull that, by the Lords assistance and your labours with him, he may prove a very steadable instrument to the cause of God in this Kirk and Kingdome; Therefore, as we doe recomend him to be admitted to the Covenants, so we desire that yow may be carefull to advise and instruct him in everie thing that may tend to the good of Religion and Covenant.

Wee remain,

Your loveing brethren,

*Edinburgh,*

*9 Maij 1650.*

THE COMMISSIONERS

OF THE GENERAL ASSEMBLY.'

'Direct:—*To the Reverend and Loving Brethren of the Presbyterie of Kelso.'*

The Commission of the Generall Assembly, having considered the petition of Colonell David Barklay, and having heard himself, Doe referre him to the Presbyterie of Elgin to try the evidence of his repentance, and thereafter to receive him to publik satisfaction for his accession to the late vnlawfull Engagement, according to his degree of guiltines, and the order prescribed.

Reference—  
Colonell  
Barklay.

The Commission of the Generall Assembly, haveing considered the petition of Andro Hamiltoun, younger of Ridhall, and having heard himself, Doe referre him to the Presbyterie of Edinburgh to try the evidence of his repentance, and thereafter to receive him to publik satisfaction for his accession to the late vnlawfull Engagement, according to his degree of guiltines, and the order prescribed.

Reference—  
Andro Hamil-  
toun.

The nixt meeting vpon Thursday the 16 of this instant, and the brethren desired to returne, and give advertisment to the absents, that the meeting may be frequent.

*Edinburgh, 16 Maij 1650, ante meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. James Hamiltoun : Mr. John Neave : Mr. Robert Baillie : Mr. Richard Inglis : Mr. James Guthrie : Mr. David Dick : Mr. Thomas Wyllie : Mr. Hew M'Kale : Mr. James Durhame : Mr. James Nasmith : Mr. Thomas Swintoun : Mr. Mungo Law : Mr. George Leslie : Mr. John Robiesone. ELDERS.—Lord Southhall : Inqlistoun : Mr. Robert Burnet : David Kennedy : William Browne.

The Commission of the Generall Assembly, haveing considered the petition of Sir James Foulles of Colingtoun, and haveing heard himself, Doe referre him to the Presbyterie of Edinburgh to try the evidence of his repentance, and thereafter to receive him to publik satisfaction for his accession to the late vnlawfull Engagement, according to his degree of guiltines, and the order prescribed.

Reference—Sir  
James Foullis  
of Colingtoun.

The Commission of the Generall Assembly, having this day considered the Petition of John Home, Colonell in the late vnlawfull Engagement, and haveing heard himself, personallie present, Doe appoint him to satisfie in the Cannogait for his accession to the said vnlawfull Engagement, when his repentance shall be receaved for his fornication committed there, he first subscribing the Declaration, according to the accustomed

Reference—  
Colonell John  
Home.



order, and bringing with him a testimoniall from the Presbyterie of Chirneside of his satisfaction there for his scandalls in his conversatioun in that place, which he is presently challenged for there.

This day the Lord Marques of Argyle, the Lord Provost of Edinburgh, and the Laird of Wedderburne, sent from the Parliament for correspondence to communicat the papers sent from their Commissioners now with the King, and desireing also a Committee to be appointed to conferre with a Committee of Parliament therevpon;<sup>1</sup> The papers being red, the Comission returned hearty thanks to the honourable Estates of Parliament for their correspondence.

The next meeting at 3 houres afternoon.

*Eodem die, post meridiem.*

*Sederunt*.—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. John Hay: Mr. James Durhame: Mr. Hew M'Kaell: Mr. David Dickson: Mr. Robert Baillie: Mr. Richard Inglis: Mr. Alexander Balfour: Mr. John Robiesone: Mr. James Gutterie: Mr. Mungo Law: Mr. Harie Semple: Mr. John Dalzell: Mr. Hew Campbell: Mr. James Hamiltoun: Mr. Robert Blair: Mr. Thomas Wyllie: Mr. Ephraim Melvill: Mr. John Nevoy: Mr. Samuella Austaine: Mr. Patrik Gillaspie: Mr. James Nasmith: Mr. Samuella Rutherford: Mr. Harie Wilkie: Mr. Thomas Swintoun: Mr. Hew Campbell: Mr. George Bennet: Mr. William Jamesone: Mr. James Robieson: Mr. George Leslie: Mr. Arthur Forbes: Mr. William Somervail. *ELLERS*.—Lord Southhall: Lord Thesaurer Depute: Sir John Cheislie: Wedderburne: Swintoun: Inglistoun: George Porterfeild: Mr. Robert Burnet: David Kennedy: Mr. Alexander Skene: James Sword: William Browne.

Committee for considering the letters and papers from our Commissioners.

The letters and vther papers from the Comissioners with our King sent to this Comission, produced by the Moderator, were this day red and appointed to be comunicat to the Parlia-

<sup>1</sup> 'Letters from the Commissioneris, on of 25 March, with the paper within the same, and other 20 Aprill, a threid first of May, other three direct to the Lord Chancellor, the M. Argyll and [Wariston] wharof on of the 20 Aprill, and the other two wanting daittis and three paperis sent with thame, and the other paperis anent the artikles sent with the lettres with ane letter from his Majestie to the Committee of Estaittis of Parliament of the 3 of May 1650; Togedder with the other paper conteaning the Commissioneris invitatioun of his Majestie, Redd in Parliament. The Estaittis of Parliament appointis the L. M. Argyll, the Laird of Wedderburne and the Provost of Edinburgh to communicat to the Commissioneris of the Generall Assemblie the forsaidis lettres and paperis, and to shew thame the Parliamentis intentione to keep their former correspondence.'—*Acts Parl. Scot.* vol. vi. pt. ii. p. 562.

ment for correspondence; And the Comission appoints Messrs. David Dickson, Robert Blair, Samuel Rutherford, Robert Baillie, John Hamiltoun, James Guthrie, James Durhame, Patrik Gillaspie, John Robiesone, Mungo Law, William Jameson, James Nasmith, John Nevoy, Hew M'Kaell, George Leslie, Lord Angus, Lord Southhall, Inglistoun, Mr. Robert Burnet, Mr. Alexander Skeene, with the Moderator, to be a Committee for considering of the said letters and papers, and comparing them with their former Instructions, and what answer in their opinion is fitt to be returned, and to conferre with the Committee of Parliament therevpon, and to report. Followes the tenor of the letters and papers.

'REVEREND AND LOVING BROTHER,—By our last we did communicat vnto yow a double of our Propositions to the King; In answer wherevnto wee received a paper vpon the  $\frac{30}{10}$  of this moneth, a double whereof we herewith send yow. Wee are now about to give in a paper containing the formall assurance for performing the promised satisfaction according to our Instructions, in some particulars whereof (especially anent the appending of the Declaratioun to the Covenants) we apprehend there will be great difficulty; wherein, notwithstanding, we shall, by the Lords assistance, do our vtmost endeavours. However it be verie probable that matters will cum to a close here; yet we dare not confidentlie averre it. It is desired by the King and all here that things be kept vp till yee hear further, seing the safety of the Kings person is conceived to be so much concerned in it. Yet wee account it our duety to acquaint yow with the progresse, that yee, being vpon the place, may make vse of it, as the Lord shall direct yow. To whose grace we commend yow, and are,

Your verie loving brethren,

*Sic subscribitur,*

Breda, *April 22,* } 1650.  
*May 2,*

CASSILLIS,  
A. BRODIE,

JO. LIVINGSTONE,  
JA. WOOD,  
G. HUTCHESONE.'

'Direct:—For our Reverend and Loving Brother, Mr. Robert Douglas, Minister at Edinburgh.'

'CHARLES R.,—

'His Majestie having received the Proposition following

Letter from the  
Commissioners  
with the King to  
the Moderator.

Kings Answer  
to the Commis-  
sioners.

from the Commissioners of the Kirk of Scotland by a paper, bearing date at Breda the  $\frac{25 \text{ of March}}{4 \text{ of Aprill}}$  1650, signed by the Earle of Cassills and Mr. Alexander Brodie, and by Mr. John Livingstoun, Mr. James Wood, and Mr. George Hutchesone, viz.:

“That your Majestie would be pleased to assure and declare by your solemne oath and subscription your allowance and approbation of the Nationall Covenant of Scotland, and of the Solemne League and Covenant of Scotland, England, and Ireland; And that yow doe faithfullie oblige yourselfe to prosecute the ends thereof in your Royall station and calling; And that yow will for yourselfe and your successours consent and agree to all Acts of Parliament enjoyning the Nationall Covenant and the Solemne League and Covenant, and fullie establishing Presbyteriall Government of the Kirk, the Directorie of Worship, Confession of Faith, and Catechismes in the Kingdome of Scotland, as they are already approven by the Generall Assembly and Parliament of that Kingdome; And that yow will give your Royall assent to Acts of Parliament enjoyning the same in the rest of your Dominions; And that, laying aside the vse of the Service Book, yow will observe these in your owne practise and family; And shall never make opposition to any of them, nor endeavour any change thereof:” Doth consent to this Proposition *in terminis*.’

‘*Aprill the 30th, 1650.*’

Letter from the  
Commissioners  
to the Mode-  
rator,

‘REVEREND AND LOVING BROTHER,—Ours on Monday last made accompt of what was before that day. On Tuesday we gott a letter from the King to the Comission of the Kirk. That day afternoon we gave in a paper, and gott yesternight an answer vnder the Kings hand, the copy of all which is here inclosed. Some things are yet in debate, and so soon as anything is fully concluded, yow shall be particularly advertised. Only in the meanetyme wee thought it our duety that so much sould be communicat to yow in a private way by

Your loving brethren,

*Breda, Sic subscribitur,*  
*April 25, old stile,*  
1650.

CASSILLIS,  
A. BRODIE,

JO. LIVINGSTONE,  
JAMES WOOD,  
G. HUCHESONE.’

‘MAY IT PLEASE YOUR MAJESTIE,—Wee, the Commissioners of the Kirk of Scotland, haveing received your Majesties answere, bearing date Aprill  $\frac{25}{10}$ th, wherein your Majestie is graciously pleased to consent *in terminis* to our Desire, presented vpon the 25 March  
4 Aprill in name of that Kirk, Doe hereby declare our humble and thankfull acknowledgement of this your Majesties so gracious an answere; And we doe, from the bottome of our hearts, blesse the God of Heaven for inclining your Royall heart therevnto, taking the same as a part of a mercifull returne to the prayers which we and the rest of the Lords people in your Majesties dominions have been pouring out before Him on your Majesties behalfe, and as an hopefull earnest that He will also give what remaines thereof, to His owne glory, an happy setling of your Majesty vpon your Thrones, and the peace and confort of all your Dominions. And now having this day received from your Majestie a letter directed to the Comission of the Generall Assembly, signifying your Majesties resolution to receive informatioun from them, and to follow their advice in such things as shall be further necessarie, wee doe in all humility present to your Majestie the way and forme wherein they have already expresly instructed ws humbly to desire that your Majestie would be pleased to performe the satisfaction graciously promised in your answer, which is,

‘That your Majestie would be pleased to sweare and subscribe the Covenants in the words of a Declaration subjoyned to both, a copy whereof we have here ready to exhibite to your Majestie, humbly begging that, if it seem not convenient to your Majestie to performe it here, it would please your Majestie to declare vnto ws, that your Majestie will performe the same as soone as it shall please the Lord to bring your Majestie to the Kingdome of Scotland: Which if your Majestie shall be pleased to doe, as it will be to ws a further token of the Lords hearing of our prayers on your Majesties behalfe, so it will be a further meanes effectually to begett a full confidence between your Majestie and your good subjects (which is most necessarie in the present juncture of affaires), and to enlarge their hearts

A paper from the Commissioners to the Kings Majestie,

to receive and imbrace your Majestie with all greatest joy and gladnesse.

'Breda, *April 23d*, 1650.  
*May 3d*,

'*Sic suprascribitur.*'

'CHARLES R.,—

His Majesties  
answer to that  
paper.

'His Majestie doth declare, *in verbo Principis*, that, as soone as he cometh to the Kingdome of Scotland, he will solemnly sweare and subscribe the Oath and Declaration following:—

'I, Charles, King of Great Britane, France, and Ireland, Doe assure and declare by my solempne Oath in the presence of Almighty God, the Searcher of hearts, my allowance and approbation of the Nationall Covenant and of the Solempne League and Covenant; And faithfully oblige myselfe to prosecute the ends thereof in my station and calling; And that I for myselfe and successors shall consent and agree to all Acts of Parliament enjoyning the Nationall Covenant and the Solempne League and Covenant, and fully establishing Presbyteriall Government, the Directory of Worship, Confession of Faith, and Catechismes in the Kingdome of Scotland, as they are approven by the Generall Assembly of this Kirk and Parliament of this Kingdome; And that I shall give my Royall assent to Acts of Parliament enjoyning the same in the rest of my Dominions; And that I shall observe these in my owne practise and family; And shall never make opposition to any of these, or endeavour any change thereof.'

'*Maij 4th*, 1650.'

An vther letter  
to the Mode-  
rator.

'REVEREND AND LOVING BROTHER,—By ours on Thursday last we imparted to yow all that was done before that day by ws. We are prepareing a paper to show our sense of all that was comunicated to ws by the King, and our advyce anent his company to Scotland, which is not yet given. But since that tyme the King hath granted so much to the Comissioners of the State as they fand a ground to give in<sup>1</sup> invitation to go to Scotland. The particulars will be imparted to yow by the bearer, Mr. James Dalrumple. Possiblie endeavours may

<sup>1</sup> *Sic for an or him.*

be vsed toward some cheefe Members of Parliament, that the Kings annulling of the peace and toleration to the Irish may be delayed, and that his subscribing of the Declaratioun for the Covenants may be accepted apart, and not appended to them. But we trust yow will, in such a way as yow thinke fittest, bestir yourselfe that such things be not dispensed with. Letters are sent from the Commissioners of the State to my Lord Chancellour, my Lord Argyle, and my Lord Wariston, which wee know will be imparted to yow, wherein also it is desired that these things be kept close. We say no more but that we are,

Your loving brethren,

*Sic subscribitur*

CASSILLIS,  
A. BRODIE,

JO. LIVINGSTONE,  
JA. WOOD,  
J. HUTCHESONE.'

'Breda, 30 April 1650.'

'Direct:—*For their Reverend and Loving Brother, Mr. Robert Douglass, Minister at Edinburgh.*'

The Commission of the Generall Assembly, having considered the petition of Hew, Lord Montgomerie, and the testimoniall of the Presbyterie concerning him, and haveing heard himselfe, personallie present, Doe refer him to the Presbyterie of Irwing to receive him to publick satisfaction for his accession to the late vnlawfull Engagement, according to his degree of guiltines, and the order prescribed.

Reference—  
Lord Montgomerie to Presbyterie of Irwing.

The Commission of the Generall Assembly, haveing considered the petition of Livetenant John Elphinstoun, and haveing heard himselfe, personallie present, Doe referre him to the Presbyterie of Stirling to try the evidence of his repentance, and thereafter to receive him to publick satisfaction for his accession to the late vnlawfull Engagement, according to his degree of guiltines, and the order prescribed.

Reference—  
John Elphinstoun to Presbyterie of Stirling.

The Commission appoints Messrs. Mungo Law, James Hamiltoun, Robert Traill, and Ephraim Melvill, Inglistoun, and William Browne to assist the brethren in the West at the Parliament for obtaining a Comission for tryell and punishment of witches.

Concerning  
witches.

The next meeting the morne afternoon.

*Edinburgh 17 Maij 1650, post meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Gavein Young: Mr. Thomas Wyllie: Mr. Samuell Oustene: Mr. David Layng: Mr. John Nevoy: Mr. Hew Peebles: Mr. Hary Semple: Mr. Robert Blair: Mr. Samuell Rutherford: Mr. Harie Wilkie: Mr. Andro Cant: Mr. John Douglas: Mr. Thomas Donaldson: Mr. Arthur Forbes: Mr. Hew Campbell: Mr. James Hamiltoun: Mr. Ephraim Melvill: Mr. David Dickson: Mr. William Somervell: Mr. Francis Aird: Mr. John Robieson: Mr. George Bennet: Mr. Alexander Dunlope: Mr. James Durhame: Mr. Richard Inglis: Mr. Fredrik Carmichaell: Mr. William Oliphant: Mr. Thomas Swintoun: Mr. James Guthrie: Mr. John Dalzell: Mr. James Robieson: Mr. Mungo Law: Mr. John Hay: Mr. Robert Baillie: Mr. William Hamiltoun: Mr. James Nasmith: Mr. George Leslie: Mr. Patrik Gillaspie: Mr. Hew M'Kaell: Mr. Alexander Balfour. *ELDERS*.—Lord Angus: Lord Southhall: Inglistoun: Mr. Alexander Colvill: Mr. Robert Burnet: David Kennedy: William Browne.

Report concern-  
ing Instructions  
to the King.

This day the Report of the Committee concerning the Explana-  
tioun, Instructions, and Letters to be sent to the Comissioners  
by the Parliament<sup>1</sup> being red, The Comission concurred  
therein, in so far as concerned them, and appointed the said  
Committee to draw a Letter to their Commissioners, with instruc-  
tions in explanatioun of the former, and to report.

Reference—  
Major Harie  
Gib to Presby-  
terie of Edin-  
burgh.

The Commission of the Generall Assembly, having considered  
the petition of Major Harie Gib, and haveing heard himselfe,  
personallie present, Doe referre him to the Presbyterie of  
Edinburgh to try the evidence of his repentance, and thereafter  
to receive him to publik satisfaction for his accession to the  
late vnlawfull Engagement, according to his degree of guiltines,  
and the order prescribed.

Reference—  
Lodovick  
Drumond to  
Presbyterie of  
Auchterarder.

The Commission of the Generall Assembly, having considered  
the petition of Lodovick Drumond, and having heard himselfe,

<sup>1</sup> Only the following brief entry is found in the Minutes of Parliament of the  
above Report. 'Report from the Committee of dispatches anent the paperis and  
lettres from his Majestie and the Commissioneris, Redd in Parliament and  
remitted to the several bodyes.'—*Acts Parl. Scot.* vol. vi. pt. ii. p. 563. After  
discussion in the 'several bodyes,' and in open Parliament, the determination of  
the matter was deferred till the following day, and then 'the paper conteaning  
demandis maid to his Majestie and the other paper conteaning the declaratione  
of the judgment of the Parliament concerning the sense and meaning of thiose  
artikles of invitatione maid to his Majestie, Both red, voitted and past in Parlia-  
ment. In the afternoon sederunt the Instructionis to the Commissioners were  
'redd, voitteid, and past.'—*Ibid.* p. 564.

personallie present, Doe referre him to the Presbyterie of Auchterardor to try the evidence of his repentance, and thereafter to receive him to publick satisfaction for his accession to the late vnlawfull Engagement, according to his degree of guiltines, and the order prescribed.

The Commission of the Generall Assembly, having considered the petition of Sir Thomas Nicolson, and having heard himselfe, personallie present, Doe referre him to the Presbyterie of Stirling to try the evidence of his repentance, and thereafter to receive him to publick satisfaction for his accession to the late vnlawfull Engagement, according to his degree of guiltines, and the order prescribed.

Reference—  
Sir Thomas  
Nicolson to the  
Presbyterie of  
Stirling.

The Commission of the Generall Assembly, having considered the petition of Captane John Somervell, Doe referre him to the Presbyterie of Edinburgh to conferre with him, and labour to bring him to a sense of his sinne, for his accession to the late vnlawfull Engagement and impious insolencies comitted by him therein, and to report.

Reference—  
Captane John  
Somervell to the  
Presbyterie of  
Edinburgh.

The Commission of the Generall Assembly, haveing considered the petition of Captane Hew Maxwell, Doe referre him to the Presbyterie of Lanerk to conferre with him, and labour to bring him to a sense of his sinne, for his accession to the late vnlawfull Engagement and impious [insolencies] comitted by him therein, and to report.

Reference—  
Captane Hew  
Maxwell to the  
Presbyterie of  
Lanerk.

The Commission of the Generall Assembly, having considered the petition of Captane Alexander Home, Doe referre him to the Presbyterie of Chirneside to try the evidence of his repentance, and thereafter to receive him to publick satisfaction for his accession to the late vnlawfull Engagement, according to his degree of guiltines, and the order prescribed.

Reference—  
Captane  
Alexander  
Home to the  
Presbyterie of  
Chirneside.

The Commission of the Generall Assembly, haveing considered the petition of Captane George Edger, and haveing heard himselfe, personallie present, Doe referre him to the said Presbyterie of Chirneside to try the evidence of his repentance, and thereafter to receive him to publick satisfaction for his accession to the late vnlawfull Engagement, according to his degree of guiltines, and the order prescribed.

Reference—  
Captane George  
Edger to the  
Presbyterie of  
Chirneside.

The Commission of Assembly, their advyce being desired by two of the brethren of the Presbyterie of Ersiltoun, in name of

Advyce concerning Mr.  
Harie  
Cockburn.



the whole Presbyterie, in the particular concerning Mr. Harie Cockburne, which was fully represented by the said brethren, the Act of Synod and Presbyterie thereanent being produced, did thinke fitt to give the advyse following, to witt: That according to the transaction betuixt the said Mr. Harie and the Commissioners of the said Presbyterie to the last Generall Assembly, and according to the Recomendatioun of the said Generall Assembly for that effect, and according to the Act of the Presbyterie following vpon both, that thrie hundreth merks should be payed yeirly by the next intrant, out of the stipend of Ginglekirk,<sup>1</sup> to the said Mr. Harie Cockburne as long as he lives, And the Comission advyses to take securitie of the intrant for that effect before his admission.

Advyce concerning Elspeth Armestrang.

The Commission of the Generall Assembly, having considered the petition concerning the particular of Elspeth Armestrang hir handfasting, before hir mariage with hir present husband, The Comission doe advyse and recomend that the Presbyterie of Middlebie desist from pronouncing sentence of excommunication against hir for that matter vntill the nixt Generall Assembly, that the matter, being of difficultie, may be there considered and discussed, and the Presbyterie wold prepare a particular report of the whole case of the bussines, and their proceedings therein, to the said Assembly.

The next meeting the morne at 10 houres.

*Edinburyh 18 Maij 1650, ante meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Mungo Law: Mr. James Hamiltoun: Mr. Samuel Rutherford: Mr. John Douglas: Mr. George Bennet: Mr. Harie Semple: Mr. John Robert-sone: Mr. Richard Inglis: Mr. Ephraim Melvill: Mr. Hew Peebles: Mr. Alexander Balfour: Mr. Hew Henderson: Mr. Andro Cant: Mr. James Gutterie: Mr. John Hay: Mr. William Jamesone: Mr. James Durhame: Mr. Samuel Austene: Mr. Thomas Donaldson: Mr. Gaveine Young: Mr. Arthur Forbes: Mr. Thomas Swintoun: Mr. Fredrick Carmichaell: Mr. Thomas Wyllie: Mr. David Layng. ELDERS.—Lord Angus: Lord Southhall: Mr. Robert Burnet: David Kennedy: William Browne.

Mr. George Hannay.

Concerning the Petition of Mr. George Hannay for his reposition, The Comission will not medle with the samen, they not having seen testimonialls from his Presbyterie.

Concerning the sumonds for transporting of Mr. David

<sup>1</sup> *i.e.* Channelkirk.

Bennet, Minister at Kirkintilloch, to Stirling, the said Mr. David appearing personallie, with diverse vthers of the paroch of Kirkintilloch, and John Short, Provost of Sterling, Thomas Bruce, late Provost there, Mr. James Guthrie, Minister there, and diverse others of the said paroch of Stirling, and the reasons *hinc inde*, for and against the said Mr. David his transportatioun, being seriously considered, The Comission of the Generall Assembly, according to the power given to them by the late Assembly, transports the said Mr. David Bennet from Kirkintilloch to Stirling, and appoints him to remove from Kirkintilloch, and settle himselfe at Stirling in that charge with all possible diligence; And in the meane time that he be admitted to the Ministrie there vpon the 20 day of Junij next; And that Mr. Ephraim Melvill and Mr. Patrik Scheills, Mr. William Twedie and Mr. Harie Semple assist the Presbyterie of Stirling in that action that day.

The Commission of Assembly doe seriously recomend the planting of the Kirk of Leinzie or Kirkintilloch to the Earle of Wigtoun, and appoints Messrs. Andro Cant, James Hamiltoun, Mungo Law, and James Guthrie, with the Moderator, to speak his Lordship thereanent.

The Commission appoints Messrs. James Hamiltoun, James Guthrie, James Durhame, Mungo Law, Hew M'Kaell, Inglishtoun, and William Browne to be a Comittee to consider of Overtures to be presented to the Parliament, and to report.

The Commission doe refer to the Presbyterie of Glasgow to take a course with Mr. Archbald Fleeming for his Malignancy, and that with all diligence, and to make report thereof to the Comission the next meeting; And Mr. James Durhame, personallie present, appointed to intimat this to the Presbyterie.

The Commission of the Generall Assembly appoints the Presbyterie of St. Androis to take speciall tryell of the cariage of Sir Robert Murray in relation to the publik cause, especieallie his accession to the late vnlawfull Engagement; And if they find any guiltines to censure him accordingly, and to make report of their diligence the next meeting of the Comission.

The Commission of the Generall Assembly, finding the Presbyterie of Edinburgh very slow in their procedour with Mr. Robert Burnet, Elder, Advocat, and with Doctor Sibbald, for

Transportatioun, Mr. David Bennet to Stirling.

Kirkintilloch.

Comittee of Overtures.

Mr. Archbald Fleeming.

Sir Robert Murray.

Mr. Robert Burnet and Doctor Sibbald.

their Malignancy, Doe therefore appoint them to proceed against them with more diligence, and to report ; As lykwayes to take course with all vther disaffected persons within their bounds.

Reference.  
William  
Jhonestoun.

The Commission of the Generall Assembly, haveing considered the petition of William Johnstoun, Doe refer him to the Commission of the Synod of Dumfreise to try the evidence of his repentance, and thereafter to receive him to publik satisfaction for his accession to the late vnlawfull Engagement, according to his degree of guiltines, and the order prescribed.

Sir Mungo  
Murray.

The Commission of the Generall Assembly, finding that Sir Mungo Murray did not attend the Presbyterie of Lithgow for conference with them in the matter of his accession to the late vnlawfull Engagement, according to the former appointment, Therefore doe appoint the Presbyterie of Stirling, for his contempt, to process him with excommunicatioun.

Dutch officers.

The Comission appoints Messrs. James Hamiltoun, Mungo Law, Robert Traill, Ephraim Melvill, Inglistoun, and William Browne to speak to some Members of the Parliament, and present their desires in favours of the Dutch Officers.

James Graham,  
somytyme Earle  
of Muntrose.

The Commission of the Generall Assembly doeth appoint Messrs. David Dickson, James Durhame, James Guthrie, Robert Traill, Hew Mackaell to attend vpon James Grahame,<sup>1</sup> when he is entred in ward and vpon the scaffold, and deale with him to bring him to repentance, with power to them to release him from excommunicatioun, if so be he shall subscribe the Declaratioun condiscended vpon by the Comission, containing an acknowledgment of his heynous and grosse offences, vtherwayes that they should not relax him.

Generall Major  
Middletoun.

The Commission of the Generall Assembly, considering the many continuations and delayes that Generall Major Middletoun hath gotten in the matter concerning him, referred vnto them from the Generall Assembly, Therefore they doe appoint him to be cited to appear personallie before this Commission at Edinburgh vpon Tuesday come eight dayes, the tuentie

<sup>1</sup> He had arrived in the afternoon of the 18th, and been received, according to the order of Parliament, by the Provost and Baillies of Edinburgh, with their guard, 'at the Water gaitt of the Canongait,' and transported by them to their ward house. The same evening he was examined and re-examined by a Committee of Parliament.—*Acts Parl. Scot.* vol. vi. pt. ii. p. 564.

eight of this moneth, to answer for his accession to the late vnlawfull Engagement against the Kingdome of England, and his vther miscariages, with certificatioun, if he appear not, they will hold his absence for contempt, and proceed vpon the matter against him without more delay.

The next meeting vpon Monday afternoon.

*Edinburgh, 20 Maij 1650, post meridiem.*

*Sederunt*:—**MINISTERS**.—Mr. Robert Douglas, *Moderator*. Mr. David Dickson: Mr. Samuel Oustene: Mr. Thomas Wyllie: Mr. Hew Peebles: Mr. Harie Semple: Mr. James Durhame: Mr. William Hamiltoun: Mr. Richard Inglis: Mr. Gavein Young: Mr. William Row: Mr. Murdo M'Kenzie: Mr. John Douglas: Mr. Thomas Donaldson: Mr. John Scott: Mr. Mungo Law: Mr. Alexander Balfour: Mr. Hew M'Kaell: Mr. Robert Row: Mr. Harie Wilkie: Mr. Ephraim Melvill: Mr. Andro Cant: Mr. Robert Blair: Mr. Hew Henderson: Mr. John Nevoy: Mr. Alexander Dunlope: Mr. Patrik Gillaspie: Mr. Robert Baillie: Mr. Francis Aird: Mr. William Somervell: Mr. Samuel Rutherford: Mr. John Robertsons: Mr. Thomas Swintoun: Mr. James Guthrie: Mr. William Jamesone: Mr. James Robertson: Mr. James Hamiltoun: Mr. Fredrik Carmichaell: Mr. Kenneth Logie: Mr. Arthur Forbes: Mr. George Bennet. **ELDERS**.—Lord Angus: Lord Burghly: Lord Southhall: Inglishtoun: Mr. Alexander Colvill: Mr. Robert Burnet: George Porterfeild: David Kennedy: William Browne.

'RIGHT HONOURABLE, REVEREND AND DEARLY BELOVED IN JESUS CHRIST OUR LORD,—Haveing receavit your papers given in to the Kings Majestie, togither with his Majesties answer thereto; And haveing seen and considered the Propositions presented to him by the right honourable the Comissioners of Parliament, and his Majesties answer and concessions, with the invitation and assurances which therevpon they give vnto his Majesty; And having considered the copies of his Majesties letters to the Comittee of Estates, and to ws of the Comission of the Generall Assembly; And haveing heard Mr. James Dalruple his relation, and informed ourselves as perfectly as we could in so dark a busines; Albeit we resolve to preserve entire our judgements concerning the proceedings in the Treatie, without the meanest prejudice of those who have been intrusted therein, vntill we may hear themselves, and be perfittlie informed of all things: Yet we cannot but profes ourselves to be exceedingly vnsatisfied with his Majesties concessions, as cumming short in many of the most materiall and important desires of this Kirk and Kingdome, concerning the security of

Letter to the  
Commissioners  
with the King.

Religion and the peace of the Kingdome ; there being nothing in the concession concerning the Covenants that may import his Majesties swearing and subscribing the same, or that doth engadge or oblige his Majestie to swear and subscribe the same before he be admitted to the exercise of his Royall power, but only a declaratioun, which, in his sense, may import quyt ane vther thing, and may be expounded hereafter as involving no more but his allowing thereof to his subjects, or some such way as shall leave an evasion against his Majesties embracing of the same as consonant to his judgement and burding to his conscience. Neither is there anything in that concession that doe oblige his Majestie to approve of the work of Vniformity in England, in regaird of the fundatioun that is already layed, and of the Acts, Bills, or Ordinances of Parliament that are already past in reference thereto. And as his Majesties concessions concerning the acknowledging of the auctoritie of this and the preceding Parliament is not clear in the expressions that relate thereto, so is it verie apparent that in that concession there is nothing that doth hold forth his Majesties purpose and resolution to follow in things Civill the counsell of Parliament, and such as shall be authorized by them in the intervalles of Parliament, and in things Ecclesiastick the counsell of Generall Assembly, and such as shall be authorized by them betuixt Generall Assemblies. Nor is there anything therein that doth import that his Majestie will be content that in the intervallis matters Civill may be determined by such as shall be authorized by the Parliament, and matters Ecclesiastick by such as shall have power and comission betuixt Generall Assemblies. And his Majesties concession concerning Ireland doth not import his disavowing, disclaming, or declaring and making voyd all agreements quhatsoever with the bloody rebels in Ireland, nor his declaring that he will never allow and permitt any liberty of the Popish Religion in Ireland, or any vther part of his Majesties Dominions, but is restrained to the putting in execution Acts of Parliament already made against the liberty or toleratioun of Popish Religion in any of his Majesties Dominions, so that the agreement with the Irish rebels for things civill is reserved entire, and, even in things concerning Religion, the concession is confined to the

executing of Acts of Parliament; which is farr short of his Majesties ingadgeing himself never to allow nor permitt any libertie of the Popish Religion in Ireland, or any vther part of his Majesties Dominions. And albeit it seems clear to ws, from the papers enterchanged betuixt his Majestie and the Commissioners of this Kingdom and Kirk, that there hes been a question concerning the meaning of his Majesties swearing and subscribing of the Covenants in the words of the Declaration subjoynted to both, yet have we not seene nor heard of anything declared and informed to his Majestie, that it doth not only import his allowance thereof to his subjects, but also his approbation of both Covenants, in all the heads and articles of the same, in regard of his owne particular judgement. We have seene nothing offerit to his Majestie concerning the Oath of Coronation, or concerning his Majesties abandoning the counsell and fellowship of all the Popish, Prelaticall, and Malignant party, and his leaving behind him such as are excepted in the Propositions of both Kingdomes, or against whom this Kirk and Kingdome hes just cause of exceptione. And albeit we conceive ourselves bound with all cordiall affection heartily to invite and welcome his Majestie vpon compleit satisfaction to the desires of the Kirk and Kingdome, Yet is it mater of stumbling vnto ws, that he should not onlie have been invited without such satisfaction, so far as we can discern, but that assurances are also given vnto him in matters of great importance not yet determined by the Parliament of this Kingdome, or Generall Assembly, or Comissioners of this Kirk, and that the Lords and vthers who were vpon the late vnlawfull Engagement sould be assured to enjoy their estates and liberties as frielie as any vther his Majesties subjects in this Kingdome, without mentioning satisfaction to be given by them to the Kirk, or any vther thing that may relate to the peace of this Kingdome and good of the work of God; and that it is insinuate that his Majestie may have hop that there may be access for them to places of publik trust when he shall be present in his Parliament. These things we thought fitt to represent vnto yow, as conceaving them to import no small hazard to Religion, to the Covenant and work of God in these Kingdoms, if a remedy be not providyd. The Parliament,

which is now sitting, hath taken the whole matter in consideration, and have sent their Instructions and Commands thereanent vnto their Commissioners, who, we hope, will communicate the same vnto yow ; And we desire yow to keep good correspondence with them thereanent, and to give them your best assistance, so far as concerns your station and calling, for procuring his Majesties consent *in terminis* to the Propositions, according to the frame appointed by the Parliament, and that his Majestie may be brought to conceive of the invitation according to the explanatiouns of the Parliament. What further we have to say to you in reference to your owne trust, we have sent it in some few Instructions, in the managing of which we doubt not but yow will be diligent and carefull. It shall be needles vnto ws to represent vnto yow how the Lords Cause in this land hes been often in more hazard from secret undermining, and the snares and devices of seeming friends, then from the opposition and violence of oppen enemies. As we doe earnestly pray for, and desire to endeavour, a sound agreement with his Majestie, so we conceive ourselves bound to discover and avoyd the evill of such an aggreement as will prove dangerous and destructive to the Cause of God in our hands. And, therefore, as we are confident that ye will be short in no duetie that yee owe to the King, or that may procure a right vnderstanding and happie setling betuixt his Majestie and this Kirk and Kingdome, so we also persuade ourselves that yee will take heed of snares, and decerne well of the counsell of all these who have been involved in the late defection, and are not yet convinced off, nor humbled for, that offence given thereby ; especiallie seeing there are pregnant appearances of a discoverie that some of them have been involved in compliances with James Grahame, whom the Lord hath now brought to the hand of justice in a wonderfull way, and that yow will walk so in everie thing concerning this great bussines as yow may not only have the testimony of your owne consciences, but approve yourselves to the consciences of all the Lords people in the land, and to

Your Verie Loving and Affectionat Brethren

OF THE COMMISSION OF THE GENERALL ASSEMBLY.'

Edinburgh,  
20 May 1650.

*‘Instructions from the Comission of the Generall Assembly to their Comissioners with the King.*

‘1. As you were formerlie instructed to presse his Majesties swearing and subscribing of the Nationall Covenant and of the Solemne League and Covenant in the words contained in the Instruction subjoynd to both, so yow shall, in reference to the necessarie securitie of Religion, now desire and labour to perswad, by the best arguments that yow can vse, that his Majesty may sweare, subscrybe, and seall the Nationall Covenant of Scotland, and the Solemne League and Covenant of Scotland, England, and Ireland in the words following, to be subjoynd to both :—

“I, Charles, King of Great Britane, France, and Ireland, Doe assure and declare by my solemne oath, in presence of the Almighty God, the Searcher of hearts, my allowance and approbation of the Nationall Covenant and of the Solemn League and Covenant aboue written, and faithfullie oblige myself to prosecute the ends thereof in my station and calling ; And that I shall for myselfe and my successours consent and agree to all Acts of Parliament injoyning the Nationall Covenant and the Solemn League and Covenant, and fullie establishing Presbyteriall Government, the Directory of Worship, Confession of Faith, and Catechismes in the Kingdome of Scotland, as they are approven by the Generall Assembly of that Kirk and Parliament of that Kingdome ; And that I shall give my Royall assent to Acts of Parliament, Bills, or Ordinances past, or to be past, in the Houses of Parliament, injoyning the same in the rest of my dominions ; And that I shall observe these in my owne practise and family ; And shall never make opposition to any of these, nor endeavour any change thereof.”

‘2. Yow shall not faile, for preventing and removing all questions and doubts anent the Kings Oath, to declare by a paper to his Majestie, that it doth not only import his allowance and approbation thereof to his subjects, but also that his owne swearing and subscryving the same, in the words subjoynd thereto, imports his allowance and approbatioun of all the heads



and articles thereof in his owne particular judgement, and his ingagement to everie on of them, as much as the oath of any of the subjects thereto imports their approbatioun and ingagement.

‘3. Yow shall desire that his Majestie wold consent and agree that all matters Ecclesiastick be determined by the Generall Assemblies of this Kirk, and such as are or shall be authorized by them; and that he would declare that in all matters Ecclesiastick he will follow the counsell and advice of the Generall Assembly, and such as are or shall be authorized by them.

‘4. Yow shall, with all the earnestnes yow can, desire his Majestie to abandon all Malignant counsells and counsellours, and to leave behind or remove from him all those that are excepted in the Propositions of both Kingdoms, or against whom this Kingdome hes just cause of exception or ground of jealousie; and yow shall desire him to take care that his counsell and family may consist only of such as are of knowne integritie and good affection to the cause of God, and of a blameless and Christian conversatioun; which there is the more reason to presse, because most of the evils that have afflicted the Kings house and his people have issued in a speciall way from the Kings counsells and familie their disaffection and lousnesse.

‘5. Yow shall freely represent vnto the King, that if any of these Lords or others, who had accession to the late vnlawfull Engagment, shall come into the Kingdome now or afterwards, that they most give satisfaction to the Kirk, according to the order prescribed by the Generall Assemblie.’

Lewtenant  
Colonell Ham-  
miltoun.

The Commission of the Generall Assembly, having considered the petition of Livetenant Colonell Hamiltoun, and having heard him selfe, personallie present, Doe referre him to the Presbyterie of Hamiltoun to try the evidence of his repentance, and thereafter to receive him to publik satisfaction for his accession to the late vnlawfull Engagment, according to his degree of guiltines, and the order prescribed.

Order for citing  
ministers of  
Orkney and  
Caithnes.

The Commission of the Generall Assembly, hearing of the great defection of the Ministers in Orkney and Caithnes, in complying with James Grahame, Do therefore appoint them to be cited to the Generall Assembly, and that the Clerk direct out sumonds for that effect.

The Commission appoints for correspondence Messrs. Andro Cant, Robert Blair, James Durhame, James Guthrie, and Inglistoun to comunicat to the Parliament the Letters and Instructions sent to our Commissioners with the King.

Correspondence  
with the Parlia-  
ment.

The Commission appoints Messrs. James Hamiltoun, James Durhame, and Patrik Gillaspie to present to the Parliament the humble desire of the Comission for taking some effectuell course for bringing home my Lord Marques of Douglas and my Lord Mordingtoun their children to this countrey, that they be not educat in Poperie now when they are without the Kingdome.

Desire to Parlia-  
ment.

The Commission of the Generall Assembly, having considered the petition of Sir William Nisbitt, and having heard himselfe, personallie present, Doe referre him to the Presbyterie of Edinburgh to try the evidence of his repentance, and thereafter to receive him to publick satisfaction for his accession to the late vnlawfull Engagement, according to his degree of guiltines, and the order prescribed.

Sir William  
Nisbet.

The next meeting the morne after sermon.

### *Edinburgh, 21 Maij 1650.*

*Sederunt* :—**MINISTERS**.—Mr. Robert Douglas, *Moderator*. Mr. James Hamiltoun : Mr. William Jamesone : Mr. John Nevoy : Mr. Hew Peebles : Mr. Robert Row : Mr. Arthur Forbes : Mr. John Scott : Mr. Patrik Gillaspie : Mr. Robert Blair : Mr. James Robertstone : Mr. Thomas Wyllie : Mr. Andro Cant : Mr. Thomas Donaldson : Mr. John Robieson : Mr. Alexander Dunlope : Mr. Harie Semple : Mr. Thomas Swintoun : Mr. Harie Wilkie : Mr. James Durhame : Mr. John Douglas : Mr. James Guthrie : Mr. Samuel Rutherford : Mr. Francis Aird : Mr. Murdoch M'Kenzie. **ELDERS**.—Lord Southall : Laird Wedderburne : Mr. Robert Burnet : William Browne.

The Comission of the Generall Assembly gives power and commission to Mr. Patrik Gillaspie, one of the Ministers of Glasgow, to repair to Aberdene, that, if the King and the Commissioners shall arryve there or any other place in the North, he may delyver to the Commissioners the Letter and Instructions of the Comission, and informe them of the debaits and grounds of dissatisfaction in his Majesties concessions and invitation given to him by the Commissioners, and of the grounds of the desires of this Kirk and Kingdome, according to the fairsaid Letter and Instructions.

Commission for  
Mr. Patrik Gil-  
laspie.

Report concern-  
ing the desires  
in relation to  
Orkney and the  
Commissions  
opinion.

*'The Report of the Committee appointed to consider upon Mr. James Moriesone and Mr. Patrik Waterstoun their supplicationoun.'*

'Anent the first article of Mr. James Moriesones supplicationoun, for purgeing the countrey, and placing of godly able judges in Orknay, if the Commission think it fitt, lett this be represented and recomended to the Parliament.'

The Comission of the Generall Assembly agrees to this article.

'Anent the 2nd article, the whole apostat Ministers in Orkney would be sumonded to the Generall Assembly.'

Agrees to this article.

'Anent the 3d article, for conversing with the apostat Ministers of Orkney, the Comittees thought is that the supplicants should not keepe meetings with them, but if these should presume to keepe Presbyteries, that the supplicants should protest against them. 2d. That none of these who have proven active in this rebellion shall present their children to baptisme. 3. That the Sacrament of the Lords Supper be not administered to the people vntill they be purged. 4. That the supplicants shall vse all diligence to try the miscarriage of these apostat Ministers, and who were most active promotters of this rebellion.'

Agrees to this article, and all the parts thereof.

'Anent the 4th article, concerning the reparatioun of their charges, and satisfaction of the supplicants fies and charges for their cuming to Assemblies and Comissions of Assembly these many years past, and whilk is award to them be Presbyteries, It is the Comittees oppinion that Mr. James Morieson shall have six thowsand merks, and that Mr. Patrik Waterstoun shall have four thowsand merks, whilk is to be taken off the vaiking stipends in Orkney, and that it be recommended by the Parliament to the Civile Magistrate who shall be established there to see the foirsaid moneyes exacted and payed to the supplicants.'

Agrees to this article, and appoints Messrs. Mungo Law, Hew Mackael, and Murdoch M'Kenzie to assist it at the Parliament.<sup>1</sup>

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<sup>1</sup>'The Supplication of Mr. James Moriesone and Mr. Patrik Waterstoun redd and past in Parliament,' 29th May 1650.—*Acts Parl. Scot.* vol. vi. part ii. p. 569.

‘Fyftlie. That if the Comiffion thinke it fitt, that it be referred to the Generall Assembly how the kirks of Orkney shall be purged, and after planted with good able preachers, and that this Comiffion shall recomend to the severall Provinces to look out men fitt to be planted in that country.’

Aggrees to this article.

The next meeting, the morne at 9 houres.

*Edinburgh, 22 Maij 1650, ante meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Robert Blair : Mr. Samuell Austeine : Mr. David Layng : Mr. Gavein Young : Mr. James Durhame : Mr. Alexander Balfour : Mr. Donald M’Kenzie : Mr. James Guthrie : Mr. Kenneth Logie : Mr. William Jameson : Mr. Fredrik Carmichaell : Mr. Alexander Dunlope : Mr. Thomas Donaldson : Mr. Hew M’Kaell : Mr. Harie Semple : Mr. Samuell Rutherford : Mr. Thomas Swintoun : Mr. John Douglas : Mr. George Bennet : Mr. John Scott : Mr. Harie Wilkie : Mr. Hew Peebles : Mr. George Leslie : Mr. John Nevoy : Mr. Thomas Wyllie. *ELDERS*.—Laird of Wedderburne : Sir William Scott : Mr. Robert Burnet : William Browne.

Concerning the sumonds of transportatioun at the instance of the towne of Duncce against Mr. William Penman, the said Mr. William appearing personallie, Sir Walter Riddell and diverse vthers for the paroch of Morbatle, Mr. Robert Knox, and Mr. John Douglas, and vthers appearing for the Presbyterie of Kelso for their interests, and the Laird of Wedderburne, William Home of Linthill, and diverse vthers in name of the paroch of Duncce, The Comiffion of The Generall Assembly, according to the power given to them by the late Assembly, haveing seriously considered the reasons *hinc inde*, for and against the said transportatioun, and haveing heard parties at length thereanent, Doe refuse the desire of the said paroch of Duncce for the said Mr. William his transportatioun.

Concerning the petition of James Menzies of Enoch, It is the advyce of the Comiffion that the petitioner divyde his [a]isle, and inclose a portion of it for a buriall place, and leave the rest for publick vse and service of the Kirk, and that at the sight of the Presbyterie, and in the meane tyme that the sentence of excommunicatioun desist, and that the petitioner forbear burieing in that place vntill this be done, Recommending to the Presbyterie that this way of accomodatioun be taken.

Refusall of Mr. William Penmanes Transportatioun to Duncce.

James Menzies of Enoch.

The Laird of  
Thornetouns  
Petition, and  
the reference  
concerning him.

This day the Laird of Thornetoun haveing presented the petition vnderwritten :—

*‘ To the Right Honourable and Right Reverend these of the Commission of the Church The Humble Petition of Alexander Strachan of Thorntoun :—*

‘ Whereas your petitioner, being in the countrey about his privat affairs the tyme of the contriving that sinfull expedition into England, and being vnacquainted with the condition of affaires as they then stood, and the vnlawfull [band] being come to the schire (where I beare residence) of the Mearns, whereof the pretences seeming, and nothing being declared against it, and most part of the honest gentlemen of the said schyre of the Merns condiscending to it, I was also ingadged, altho not without hesitation, and ane protestatioun that, if it was found destructive to Religion or vnsatisfactorie to the Church, I might be free ; and come in to Edinburgh, I did joyne in supplicatioun for opposing the said sinfull Engagement, and although I was nominat to leavie ane Regiment in that Armie, Yet I wold never accept of the command, nor did not at all medle with the localitie appointed for that Regiment, but did depairt the Kingdome, and stayed in France eight months ; Bot least there should be any scandall given be my cariage, I doe hereby (and shall in any other way yow please) acknowledge my sincere dissatisfaction for my subscription of that Band, and most willingly submitt to any other censure yow in your wisdomes shall determine to impose vpon me. And as I have always been serious to prefer the cause for Religion and Covenant to all that was dear vnto me, I shall still accompt it my verie great happines, if I may meet with any opportunity whereby I may give still evidences of my sincere affection to the said cause. And my humble petition is, that I may have your Reverend wisdomes approbatioun and testimony, whereby I may be in capacitie to witnes my most earnest desire to hazard my life and fortune for the cause of God and well of my nation.

*Sic subscribitur,*

A. STRACHAN.’

Laird of  
Thornetoun.

The Comissioun, having taken to their consideratioun the above written petition, and heard the petitioner himself, and

considering his former behaviour and faithfulness in the Cause and Covenant, and being well satisfied by his declaration by word and writt for anything he hes done in relation to the late Engagement, Doe declare that he is not to be debarred from the Covenant and Comunion, bot is worthy of publick trust, as any other well affected gentleman in the Kingdome, for anything they know, and doe refer him to the Presbyterie of the Merns that, if they know nothing to the contrarie, they may give him the like testimony.

The Commission of the Generall Assembly, having considered the petition of Livetenant Colonell Cochran, and haveing heard himself, Doe refer him to the Presbyterie of Paislay to try the evidence of his repentance, and thereafter to receive him to publick satisfaction for his accession to the late vnlawfull Engagement, according to his degree of guiltines, and the order prescribed.

Concerning Thomas M'Kenzie of Pluscarden, notwithstanding the many former continuations, The Comission, in respect of a petition presented by George Stewart, advocat, in his name, Doe continue yet againe, and refers the whole matter concerning him to the nixt Generall Assembly, with certification of summar excommunicatioun, if he appear not then personallie, and intimation hereof made to George Stewart, his agent *apud acta*.

The Commission of the Generall Assembly considering that the Lord having so disposed as to transport Mr. David Dickson to the Profession of Divinity in Edinburgh, and Mr. James Durhame to the filling of his place in Glasgow with his congregatiouns consent, and they having now giving<sup>1</sup> a call to Mr. John Carstaires, Minister at Cathcart, to be their Minister in Glasgow, Therefore the Comission thinke it fitting that letters be written to Mr. John Carstaires, and to the Session of Cathcart, and to the Presbyterie of Glasgow, shewing that it is their desyre and a[d]vyse that Mr. John wald hearken to that call, and that both he and his congregatioun wold submitt to the determinatioun of the Presbyterie therein, sieing all judicious and indifferent men who knowes Mr. John

Livetenant-  
Colonell  
Cochrane.

Reference  
Pluscardie to  
the Generall  
Assembly.

Act for letters  
to Mr. John  
Carstars, his  
session and the  
presbyterie of  
Glasgow for his  
transportatioun  
to Glasgow.

<sup>1</sup> *Sic in MS. for given.*

are convinced [he] is fitt for a more publick place nor that is where he now serves, and that they conceive God hes fitted him in a speciall way for Glasgow.

The nixt meeting at 3 afternoon.

*Eodem die, post meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Samuell Rutherford : Mr. Andro Cant : Mr. Alexander Balfour : Mr. Hew Peebles : Mr. Harie Wilkie : Mr. John Douglas : Mr. Thomas Swinton : Mr. David Layng : Mr. George Leslie : Mr. William Jameson : Mr. Harie Semple : Mr. Thomas Wyllie : Mr. George Bennet : Mr. Robert Blair : Mr. Murdo M'Kenze : Mr. William Row : Mr. John Nevoy : Mr. Alexander Dunlope : Mr. James Guthrie : Mr. Arthur Forbes : Mr. Gavein Young : Mr. Thomas Donaldson : Mr. Mungo Law : Mr. John Scott : Mr. Fredrik Carmichael : Mr. Kenneth Logie : Mr. Hew Henderson. *ELDERS*.—Laird Wedderburne : Mr. Robert Burnet : William Browne.

Reference  
M'Kenzies of  
Gearloch and  
Assint.

The Commission of the Generall Assembly, having considered the petition of Kenneth M'Kenzie of Gearloch, and Kenneth M'Kenze of Assint, Doe refer them to the Comission for Visitatione of Rosse to try the evidence of their repentance, and thereafter to receive them to publik satisfaction for their accession to James Grahames rebellion and the late Insurrection in the North, according to their degree of guiltinesse, and the order prescribed; and the Presbyterie in the meane tyme are to suspend any further procedour against them.

Reference  
Major John  
Munro.

The Commission of the Generall Assembly, having considered the petition of Major John Monroe, and having heard himself, Doe refer him to the Presbyterie of Edinburgh to try the evidence of his repentance, and thereafter to receive him to publik satisfaction for his accession to the late vnlawfull Engagement, according to his degree of guiltines, and the order prescribed.

The nixt meeting the morne after sermon.

*Edinburgh, 23 Maij 1650.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Samuell Rutherford : Mr. Andro Cant : Mr. Gavein Young : Mr. George Leslie : Mr. John Nevoy : Mr. Alexander Dunlope : Mr. William Row : Mr. Harie Semple : Mr. John Scott : Mr. Thomas Swintoun : Mr. Robert Blair : Mr. Thomas Donaldson : Mr. David Layng : Mr. Murdoch M'Kenzie : Mr. Harie Wilkie : Mr. Hew Peebles : Mr. James Hamil-

toun : Mr. Thomas Wyllie : Mr. Mungo Law : Mr. Arthur Forbes : Mr. James Guthrie : Mr. George Bennet : Mr. Alexander Balfour. **ELDERS.**—Lord Angus : Mr. Robert Burnet.

Concerning Generall-Major Midletoun, The Comission gives power to the Ministers of Edinburgh, or any three of them, with the Moderator, to confer with him when he comes here, and to labour to bring him to some sense of his offence, and to appoint him a new diet. Generall-Major Midletoun.

The Commission approves the Remonstrance to the Parliament concerning the purging of the Army and Judicatories, the Petition in the behalfe of well affected children of Popish parents, the Overtures and the reasons for punishing adulterie with a single woman by death ; <sup>1</sup> And appoints any two or three of the Ministers of Edinburgh to present the same to the Parliament, giving unto them also power, with the Moderator, to consider of any vther Overtures or desires necessarie to be given in to the Parliament, and to present the samen at their conveyency. Tenor of all the said papers follows :—

‘ *The Humble Remonstrance of the Comission of the Generall Assembly unto the Right honourable the Estates of Parliament.* Remonstrance to the Parliament.

‘The Lord having done so great things for us of late as smytes the spirits of all the haters of this work with astonishment and confusion, and fills the hearts of His people with wonder and rejoyceing, Wee humbly conceive that it will be acknowledged by your Lordships that the thanksgiving which we owe to the Lord in regard of so great mercies ought not only to be exprest on the exercise of worship in the publick assemblies of the Lords people, but for evidencing of the truth and sinceritie thereof to be put furth in the faithfull and zealous performance of all the duties of our callings, especially those which the tymes of the Lords mercies doe in a speciall way point at ; And conceaving that the purging of Judicatories and of the Army is on of the most important of these duties, in regard of the secureing and a[d]vanceing of Religion and

<sup>1</sup> ‘ Act in favours of the childrein of Popish parents, and ane Act anent punishing of adulterie with death, redd and remitted to the severall bodyes.’—*Acts Parl. Scot.* vol. vi. part ii. p. 593.



righteousnes in the land, and procureing the blessing of God vpon all publik proceedings: Therefore, fearing that there be as yet some who have not given satisfaction to the Kirk for their accession to the late vnlawfull Engagement, and others who are of verie questionable integritie, and of a scandalous and blameworthy conversation, in Judicatories, or depending therevpon as advocats or clerks, or in some capacitie of that kinde, and that there be still many of a Malignant disposition and lowse and vngodly cariage in our Armies, and that some of these who were formerly cashiered, becaus of their accession to the late vnlawfull Engagement, are without sufficient testimonialls and the approbatioun of the Comittee of Estates and the Comission of the Generall Assembly, though not formally admitted, yet reallie permitted and allowed to exercise charge and serve in the Army, and that some of vnquestionable integritie and of a blameles and Christian conversatioun are kept from their charge in the Army; And hearing of many insolencies and oppressions comitted by severalls in the Army in their late marche vnto and returne from the North, Therefore, calling to mynd how many and great evils both of sinne and of punishment have formerly flowed from the disaffection and lownes of those in Judicatories and Armies, and how solemnly these things wer confessed vnto God, and sworne and covenanted against; And remembring how great blessings have followed vpon the beginnings of indevours in these dueties, and how the Lord now calls your Lordships in a speciall way for following and prosecuteing the same, Wee doe humbly intreat and seriously exhort your Lordships, as yow desire to exoner your selves of your solemne ingagement, and to show yourselves thankfull vnto the Most High God, whose hand hes been lifted vp hie on our behalf, that yow will not only intertain these our desires with acceptance, but resolve vpon and cause putt in execution ane speedy and effectuall remedie in reference to these evils.'

*'Vnto the high and honourable Court of Parliament The Commission of the Generall Assembly humbly motion,—*

*'That in respect we are all bound, by the Nationall Covenant and by the Solemne League and Covenant, to esteem any*

Petition to the  
Parliament  
concerning the  
children of  
Papists.

prejudice done to any for adhering to the Cause of God as done to our selves, and sieing it is evident that the children and heires of Papists may and doe suffer manyfold and manifest prejudice for their adhering to the Cause of God, by their parents withholding from them present maintenance, or by their selling, wodsetting, mortgadging, or otherwayes disposing of their estates, or any pairt thereof, labouring by this means to compell them either to quyte the Covenant or to live in beggarie and miserie,

‘That therefore your honours wold thinke vpon some course, be ane Act of Parliament, whereby Papists may be constrained from reduceing their children and heires adheireing to the Cause and Covenant to beggarie and povertie by disposing their estates from them, and whereby the heire of the said Papists may be provyded for to live during their fathers lyfetymes.’

‘*The Humble Desires and Overtures of the Commission of the* Desires and  
*Generall Assembly to the honourable Estates of Parlia-* Overtures to the  
*ment.* Parliament.

‘That the Act of Parliament concerning the capitall punishment of adulterie may be explaned and made clear to extend against the adulterie of a married man with ane vnmarried woman, as well as against that of a married woman with a married or vnmarried man, seing there is the same reasone for both, as appears by the reasones herewith offered :—

‘1. That inferiour Magistrates may be ordained to apprehend such as committ capitall crymes vpon the recomendation of Presbyteries and notoritie of the fact.

‘2. That the power of the Commission for plantatioun of kirks may be renewed, with power for provyding Ministers with fewell, and for provyding colleague Ministers in burghes with competent provisions where they serve, and with expresse power also to provyde these Ministers of these paroches whereof the tythes belong to Vniversities, hospitalls, and vther pious mortificationouns, without prejudice or diminutioun of the rents and benefits belonging to these Vniversities,<sup>1</sup> hospitalls, and pious mortificationouns, and that they have also expresse and

<sup>1</sup> This provision has unfortunately in later times been ignored.

only power to judge and determine all questions concerning Ministers manses, and gleibs and grasse.

‘3. That there be ane civill censure inacted against counterfitters of testimonialls.

‘4. That in respect of the great defection of the people in Orkney, and condition of affaires there, that able and pious men be sent there to be Magistrates, Judges, and Ministers of justice in these parts.

‘5. In respect Lues Gordon, sone to the late Marques of Huntlie, excommunicate by the Comission of the Generall Assembly at Aberdene now neir thrie yeires agoe, to the great contempt both of Ecclesiastick and Civill authoritie remaineth still in the North vnder that dreadfull sentence, plundering and oppressing the people there, That therefore their Lordships wold be pleased to give order to the Generall Livetennant to cause take and apprehend him, that he may be brought here, and remain in firmance vntill he satisfie the Kirk, according to the order prescribed against excommunicat persones.

‘6. That their Lordships wold take some effectuall course for bringing home the children of some noblemen and gentlemen, who, being now out of the countrey, are educat in Poperie, and namely, the children of the Marques of Douglas and Lord Mordingtoun.

‘7. That some course were taken for a generall Comission for tryell and punishment of witches, in respect of the great charges, besyde the losse of tyme, that people from all corners of the countrey have in attending here vpon particular Comissions; and that their Lordships wold lykewayes thinke vpon a way for intertainment of the poore bodies that are apprehended and in firmance, and to resolve what shall be done with these against whom there cannot be legall probatiouns.

‘8. That their Lordships would take some effectuall course for putting in execution the Act concerning the intertaining the poore and restraining of beggers and vagabounds.’

*‘Reasons why adultery should be capitall when the single woman lyeth with the married man, as well as when the single man lyeth with the married woman.*

‘1. Because parity of reason doth require it should be so;

the sinne and guilt of these two cases being equall, the punishment ought to be the same.

'2. Because by the law of God when any degree of filthines is capitall, by the same law the paralel degree is als capitall ; as in the law about incest, it is acknowledged by all that the paralel degrees with those that are expressly mentioned in the text are also capitall, so in the law about the punishing adultery, the single woman lyeing with the married man, being the just and direct paralel of the single mans lyeing with the married woman, is also capitall by the same law.

'3. In those texts, Leviticus 20. 10, and Deuteronomy 22. 22, by the man is to be vnderstood man and woman, and by his neighbours wife is to be vnderstood husband or wife, according to the comon sense of most of the lawes of Moses, as it followes vpon that law, Leviticus 20. 11, 12, where under the wife is undoubtedly comprehended husband or wife, and daughters is sone or daughter in law, the man lies with his fathers wife comprehends also the woman that lies with her mothers husband.'

The Commission of the Generall Assembly being now to dissolve, considering the necessitie of some Ministers to preach to the honourable the Estates of Parliament now sitting, Therefore doe appoint the brethren following to preach to the Parliament in the Parliament House, viz., Mr. James Hamiltoun and Mr. Mungo Law, vpon the last Sabbath of Maij instant ; Mr. Hew Mackaell and Mr. Robert Traill, vpon the first Sabbath of Junij ; Mr. John Weir and Mr Robert Lawrie, vpon the second Sabbath of Junij ; Mr. John Smith and Mr. John Sterline, vpon the third Sabbath of Junij ; Mr. George Leslie and Mr. Thomas Garvie, vpon the fourth Sabbath of Junij ; Mr. George Hutchesone and Mr. John Hog, vpon the last Sabbath of Junij ; And the Comission declares that, if in the meane tyme the Kings Majestie shall cum to this citie, the Comission will thinke vpon some other course for Ministers to preach to the Parliament.

Act appointing  
Ministers to  
preach to the  
Parliament.

The Commission of the General Assembly, having heard the report of the Presbyterie of Bigger, concerning William Baillie of Lamington his accession to the late vnlawfull Engagement, And finding too great lenitie and slownes in their procedour

Reference—  
Laird Lamington to Presby-  
terie of Bigger.

with him, in regard of his shifting from time to time to give satisfaction, according to the degree of his guiltinesse, Doe therefore require and ordaine the said Presbyterie to processe him with excommunication, and to goe on therein against him without delay, if he doe not give satisfaction, according to the order prescribed.

Lord Mording-  
toun.

The Commission of the Generall Assembly, having heard the report of the Presbyterie of Chirneside by Mr. Thomas Swintoun, bearing that some Papists doe resort to the Lord Mordingtouns house, notwithstanding the admonitioun given to him to the contrair, as lykewayes that he hes not recalled home his children, according to the former desire of the Comission and Presbyterie, Therefore they desire the Presbyterie of Chirneside, after intimatioun given vnto him, to proceed against him with the process of excommunication.

The Commission of the Generall Assembly, considering the necessitous condition of Leivtennant Colonell William Merser, sone to vmquhill Mr. John Merser, Minister at Staines, doe referre him to the charitable supplie of the Presbyterie of Edinburgh.

Letter to  
Presbyteries.

‘REVEREND AND LOVING BRETHREN,—Wee thinke it strange that, notwithstanding so many advertisements for payment of the printed papers sent vnto yow, and of the annuitie for dispatches for 1649 and 1650, that yet nothing is done. The printer suffers exceedingly, but we all suffer more in our credite and trust. The sune resting to him is now considerable. Wee shall therefore yet againe once more desire that yow will send in what yow are resting for the saids papers, and for the saids tua yeares annuitie of 20s., with diligence, that compts may be cleared before the Generall Assembly. And for vaiking kirks, we desire the Moderator to pay what is due for them, and that the Presbyterie take course how he may be repayed out of the vaiking stipends, which we are sure may be verie easilie done. If this be not done, and reall payment accordingly made, we will be forced at the next Generall Assembly to vrge that some strict course be taken, that these dues, so necessary for publick service, may be speedilly and

effectuallie payed. But we shall rather wish yow would prevent it. So, expecting your care herein, wee remain,

Your loving brethren,

Edinburgh,  
23 Maij 1650.

THE COMISSIONERS

OF THE GENERALL ASSEMBLIE.<sup>1</sup>

Concerning the Querees from the Presbyterie of Kelso and anent witches, The Comission of the Generall Assemblie doe humblie recomend to the honourable Estates of Parliament, or their Comittees, that these Querees may be considered, and advyse given thereanent. Querees from Kelso.

The next meeting to be vpon the Moderators advertisement.

*Edinburgh 20 Junij 1650, post meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. John Annand : Mr. Arthur Forbes : Mr. James Robiesone : Mr. Hew Makale : Mr. John Hay : Mr. Hugh Campbell : Mr. James Hamiltoun : Mr. David Dicksone : Mr. John Douglas : Mr. James Flemyng : Mr. George Leslie : Mr. Patrik Flemyng : Mr. Gilbert Hall : Mr. William Hamiltoun : Mr. William Jamesone : Mr. William Guthrie. ELDERS.—Thesaurer Depute : Laird of Nidrie : Swintoun : Inglistoun : Justice Depute : Mr. Robert Burnet : Mr. Thomas Murray : David Kennedy : George Porterfeild.

This day the Moderator shew that he conveened the Commission at this tyme vpon the occasioun of intelligence from<sup>1</sup> the Inglish Sectaries intentions to cum to our borders, as also vpon the notice of the Kings cuming to this countrey, that they may consider what is incumbent to them to doe in these great affaires.

The Commission of the Generall Assembly, vnderstanding that Colonell Pitscotties Regiment, lying in garison at Perth, wants a Minister, Doe therefore appoint Mr. Alexander Moncreiff, Minister at Scunie, to attend the said Regiment for performing Ministeriall dueties to them for the space of thrie moneths, and that he repair thither with all diligence. Minister to Colonell Pitscottie's Regiment.

The Commission of the Generall Assembly, having considered the report from the Presbyterie of Edinburgh, concerning Captane John Somervell, and finding thereby that he is very sensible of his great offence and sin in his accession to the late vnlawfull Engagement, and impious insolencies comitted by him therein, Doe therefore refer him to the Presbyterie Reference—Captane John Somervell.

<sup>1</sup> *Sic* in MS. for *of*.

of Lanerk to receive his publik satisfaction, according to his degree of guiltinesse and the order prescribed.

Remit—  
Captain John  
Auchmutie.

Concerning the petition of Captane John Auchmouty, The Commission remitts the same to the Presbyterie of Edinburgh, with power to themselves to consider and determine thereanent, as they find reason.

Committee for  
Conference with  
the Committee  
of Estates.

This day my Lords Marques of Argyle, Burghlie, Register, Sir John Cheisly, Mr. Robert Barclay, sent from the Parliament to shew the resolutions of the Parliament to send letters to the Parliament of England, and to the Generall of the Army there, to vnderstand their purpose toward this Kingdome; And therefore desireing there might be some of the Commission appointed to confer with some of the Parliament vpon the matter, The Comission therefore appoints Messrs. David Dickson, George Leslie, Hew Makail, and Inglistoun, with the Moderator, to confer with these appointed by the Parliament, and to report.

Reference—  
Lieutenant  
Colonell James  
Innes to the  
Assemblee.

Concerning the petition of Lievtenant Colonell James Innes, for satisfaction for his accession to the late vnlawfull Engagement, The Commission, in respect of vther scandalls lyeing vpon him, Doe refer him to the Generall Assembly.

Reference—  
Colonell John  
Monroe to  
Inverness.

The Commission of the Generall Assembly, having considered the petitions of Colonell John Monroe of Lemlair, together with the report of the Presbyterie, and having heard himselfe, personallie present, expresse verie much sense of his sinne and offense for his imployment in the vnlawfull Engagement againes England, And being well satisfied with his sensible acknowledgment of that his sinne, Conceaving also good hopes of his better cariage for the future from his present promises, and the experience of his former good behaviour in the publik cause, and especiallie from his late cariage, and active concurrence to the defeating of James Grahame and the forces with him in the North, Therefore they appoint him to make his publik satisfaction in the Kirk of Innernes, and that Mr. John Annand, Minister there, receave him according to the order prescribed.

Reference—  
Lues Gordon to  
the Assembly.

Concerning the petition of Lues Gordoun, sone to the sumtyme Marquis of Huntlie, The Commission not being satisfied therewith, refers the petitioner to the next Generall Assembly,

and appoints the Ministers of Aberdene to confer with him in interim, and to report to the Assembly.

The nixt meeting the morne after sermon.

*Edinburgh, 21 Junij 1650, ante meridiem.*

*Sederunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. John Annand : Mr. James Fleeming : Mr. John Hay : Mr. Samuell Rutherford : Mr. James Durhame : Mr. Frederik Carmichaell : Mr. Andro Duncanson : Mr. James Nasmith : Mr. William Guthrie : Mr. John Douglas : Mr. James Robieson : Mr. Patrik Fleeming : Mr. Hugh Makaell : Mr. William Hamiltoun : Mr. Hugh Campbell : Mr. William Jamesone : Mr. Mungo Law : Mr. George Leslie. ELDERS.—Lord Southhall : Justice Depute : Inglistoun : Mr. Robert Burnet : David Kennedy.

Concerning the petition of John M<sup>c</sup>Kenzie, appeirande of Ord, The Commissioners of the Generall Assembly thinke fitt that<sup>e</sup> he be referred to the nixt Generall Assembly, and that the Presbyterie of Dingwall suspend the proces of excommunication in the meantyme.

Reference—  
John Mackenzie  
of Ord.

The Commission of the Generall Assembly, having considered the petition of William Cockburne, and having heard himselfe, Doe refer him to the Presbyterie of Peebles to try the evidence of his repentance, and thereafter to receive him to publick satisfaction for his accession to the late vnlawfull Engagement, according to his degree of guiltines, and the order prescribed.

Reference—  
William  
Cockburne.

The Commission of the General Assembly, having considered the petition of Sir Michael Nasmith, and having heard himselfe, personallie present, Doe refer him to the Presbyterie of Peebles to try the evidence of his repentance, and thereafter, vpon his confession before his owne parochie, and subscribing the declaration, to receave him to publick satisfioun for his accession to the late vnlawful Engagement, according to his degree of guiltines, and the order prescribed.

Reference—  
Sir Michael  
Nasmith of  
Posso.

The Commission addes to the Committee for the conference with the members of Parliament, appointed yesterday, Messrs. Samuell Rutherford, Frederik Carmichaell, William Jamesone, Mungo Law, John Annand, David Dickson, George Leslie, Hew Makaill, James Gutterie, James Nasmith, James Durhame, Lord Southhall, Justice Depute, Mr. Robert Burnet.

Committee for  
the Conference.

The nixt meeting at 3 hours.



*Eodem die, post meridiem.*

*Sederunt*:—**MINISTERS**.—Mr. Robert Douglas, *Moderator*. Mr. Samuell Rutherford : Mr. James Durhame : Mr. William Jamesone : Mr. George Leslie : Mr. Hew Makail : Mr. William Hamiltoun : Mr. David Dickson : Mr. William Gutterie : Mr. Frederik Carmichaell : Mr. Mungo Law : Mr. James Nasmith : Mr. Gilbert Hall : Mr. Patrik Fleeming : Mr. Gawein Young : Mr. James Fleeming : Mr. Robert Baillie : Mr. Arthur Forbes : Mr. James Robieson : Mr. Andro Duncason : Mr. John Hay : Mr. James Hamiltoun. **ELDERS**.—Lord Southhall : Justice Depute : Inglistoun : Mr. Robert Burnet : David Kennedy.

The Commission appoints a Fast to be kept vpon the Sabbath cum eight dayes, the last of this instant, where advertisement cumes timeously, vther wayes the first Sabbath after advertisement, for the causes following:—

Causes of a  
Fast

‘The Lords dispensatiouns have often callit this land to humiliatioun and fasting, sometimes by fear of snares, sometyes by threatened violence; but the grounds of this holds forth ane eminent degree of both these, as a fruit of many mis[s]pent and abused solemne occasions. And although we have no cause to faint, or cast away our confidence in any difficulty; yet we conceive it becomes all the Lords people throughout this Kingdome seriously to be humbled for these causes following:—

‘I. First, the great danger the land and work of Reformatioun are into by the sudden and vnexpected approaching of the Sectarian forces in our neighbour Kingdom of England, which as it is without all cause of provocatioun from ws, and inconsistent with the oath of God in the Solemn League and Covenant, and the large Treaty betwixt the Nations, so, except the Lord prevent it, it threatens no lesse than the ruine of this Kingdome, and obstructing of the work of God within the same.

‘II. The present distressed estate of the people of God in England and Ireland, now groaning vnder the tyranie of that partie, which should the more affect ws, seeing, if providence do not vtherwayes dispose, ere long we ourselves may be brought to the like or worse extremity.

‘III. Beside the danger we are in from that party in England, we are not without the reach of hazard from the Malignant party, whose inveterate malice against the work of God holds them on to pursue the same designes, hitherto by the blessing of God disappointed.

‘IV. Notwithstanding all these imminent dangers, the land lies in securitie, ignorance, profanity, and formality; little conscience is made of the Oath of God in our solemn vowes, the guiltinesse of shortcoming wherein, and the breaches whereof, before the Lord, pleads against Rulers, Ministers, souldiers, and people of all sorts, beside the great vnthankfulnes for mercies of old and late, and the great abounding of sorcery, so common in many parts of this Kingdom.

‘Wee are therefore to pray—

‘I. That God would keep us from the danger of that proud party now in arms drawing towards our border, that we may neither be infected by their errors, nor harmed by their violence, and that He would disappoint all their designs against this land and the work of God, and break their yokes from off the necks of His people in our neighbour Kingdoms.

‘II. That He would purge the land from profanity, Maligancy, and all other our sins, stir vp all sorts to their duty, direct and blesse them in it, for the furtherance of His work and defence of His people, and that He may keepe ws straight therein, that enemies get no advantage by our declining from the Covenant, either to the right hand or to the left.

‘III. That He would shew mercie to our King, and cause His wrath to cease from his fathers house, and blesse the labours of our Commissioners with him, in bringing that Treaty to such a solid close, as we may be kept from sin and snares, and he so brought to his Throne, as may be for the good of Religion and comfort of his people.

‘IV. That as hitherto the Lord hes ever been for a defence to the Assemblies of His Kirk, so He would be pleased graciously to countenance this ensuing Generall Assembly both in the gathering and procedour thereof.’

The Commission of the Generall Assembly, having considered the petition of James, Lord Lindors, concerning his desire to subscribe the League and Covenant; and the Commission receaving no thing from the Presbyterie of Cowper, but that they desire the Commissions advyse thereanent, Therefore the Commission doe referr him to the Presbyterie, who shall confer with him, and report to the Generall Assembly.

Reference—  
Lord Lindors.

Reference—

<sup>1</sup>Agnes M<sup>c</sup>Queene  
to Presbyterie of  
Innerness.

Mr. John Annand, having propounded to the Commission of the Generall Assembly ane Quære concerning Angus M<sup>c</sup>Queene of Cordourgh, within the Presbyterie of Innerness, what course the Presbyterie should take with the said Angus, since he was with James Grahame in his first rebellion, was excommunicat therefore for his not giving satisfaction, and after his absolution from his excommunicatioun, and promises at that tyme of amendment, yet since that tyme he hath been both assisting to the promoting of the vnlawfull Ingagement against England, and had been active in the late rebellious insurrection in the North with Pluscardie,—Whither or not the Presbyterie could receave him, he having offered already to give satisfaction according as the Presbyterie should ordaine, or should refer and cause cite him before the Comission of the Generall Assembly ; The Commission, having taken the Quære to their serious consideration, Doe refer him to the Presbyterie of Innerness for censure and satisfaction.

Reference—

Lieutenant  
Colonell Grant  
to the Presby-  
terie of Innerness.

It being also proposed be Mr. John Annand, Minister at Innerness, vnto the Commission of the Generall Assembly, whither or no the Presbyterie might receave Lieutenant Colonell Patrik Grant, who only was Lieutenant Colonell in the late vnlawfull Engagement, and had never been at Sterling with George Monroe, nor in the said vnlawfull Engagement, but in the North, and had not been vpon the late rebellious insurrection in the North, nor accessorie to James Grahames invasion, either first or last, but had before the Engagement served for the publick, The Commission having taken the said Quære to their consideratioun, Doe refer the said Leivtenant Colonell Grant to the Presbyterie of Innerness for censure and satisfaction.

Reference—

Robert Dumbar  
to Presbyterie,  
Forress.

The Commission of the Generall Assembly, having considered the petition of Robert Dumbar of Burgy, and having heard himsele, personallie present, Doe refer him to the Presbyterie of Forres to try the evidence of his repentance, and thereafter to receave him to publick satisfaction for his accession to the late vnlawfull Engagement, according to his degree of guiltines, and the order prescribed.

The next meeting the morne at 2 afternoon.

<sup>1</sup> Sic in ms. for *Angus*.

*Edinburgh, 22 Junij 1650, post meridiem.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Samuel Rutherford : Mr. James Durhame : Mr. Robert Baillie : Mr. Fredrick Carmichaell : Mr. John Douglas : Mr. James Hamiltoun : Mr. Gawein Young : Mr. James Guthrie : Mr. David Dicksone : Mr. William Guthrie : Mr. Mungo Law : Mr. Andro Duncanson : Mr. William Jamesone : Mr. John Annand : Mr. Arthur Forbes : Mr. James Nasmith. *ELDERS*.—Lord Southhall : Thesaurer Depute : Swintoun : Niddrie : Inglistoun : Mr. Robert Burnet : David Kennedy.

The Commission of the Generall Assembly, having considered the petition of Sir Alexander Gibsone of Durie, for receiving his satisfaction for his accession to the late vnlawfull Ingagement, togidder with the report of the Session and Presbyterie of Stirling, concerning a scandall of adulterie with the Lady Weyr, Doe refer him to the Presbyterie of Stirling for further tryell of his said scandall of adulterie, and that all means necessarie for that purpose may be vsed ; with power to them hereafter to prescryve his censure and satisfaction, both for that scandall and for his accession to the late vnlawfull Ingagement, in the Kirk of Stirling, according to the order prescribed, and his degree of guiltinesse ; And the said Sir Alexander, personallie present, appointed *apud acta* to addresse himselfe to the said Presbyterie for the effect aforesaid.

Reference—  
Sir Alexander  
Gibsone.

The Commission of the Generall Assembly, having considered the supplicatioun of Sir Thomas Vrqhart of Cromertie, for his accession to the Northern insurrection, in assalting and razing the walls of Innernes, and having heard himself, personallie present, The Commission refers him to Mr. John Annand, Minister of Innernes, that he may confer with him concerning some dangerous opinions which, as is informed, he hes sometimes vented, and to take tryall if he have any further guiltines in compliance with the Malignant courses, and thereafter, by advyse of the Presbyterie, for to receive his satisfaction in the Kirk of Innernes.

Reference—  
Sir Thomas  
Vrqhart.

The Commission of the Generall Assembly, having considered the petition of Mr. John Cockburne, and having heard himself, personallie present, Doe refer him to the Presbyterie of Stirling to try the evidence of his repentance, and thereafter to receave him to publick satisfaction for his accession to the

Reference—  
Mr. John  
Cockburne.

late vnlawfull Ingagement, according to his degree of guiltines, and the order prescribed.

Mr. Andro  
Donaldsone to  
Laird Lawers  
Regiment.

The Commission of the Generall Assembly, vnderstanding that the Laird of Lawers Regiment wants a Minister, Doe therefore appoint Mr. Andro Donaldsone, Minister at Dalgety, to attend the said Regiment for performing Ministeriall dueties to them for the space of three moneths, and that he repair thither with all diligence.

The next meeting vpon Monday afternoon.

*Edinburgh, 24 Junij 1650.*

*Soderunt* :—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Gawein Young : Mr. John Annand : Mr. Andro Duncansone : Mr. James Hamilton : Mr. George Bennet : Mr. Robert Baillie : Mr. Samuell Ruthfuir : Mr. Fredrick Carmichaell : Mr. Mungo Law : Mr. Robert Row : Mr. David Dickson : Mr. James Durhame : Mr. James Robiesone : Mr. Hew Makale : Mr. William Jamesone : Mr. James Nasmith : Mr. James Guthrie. *ELDERS*—Justice Depute : George Porterfeild : David Kennedy : Mr. Robert Burnet : William Browne.

Reference—  
Hew Maxwell.

The whilk day Hew Maxwell presented a supplicatioun, together with a reference from the Presbyterie of Lanerk, and the Commission being nawayes satisfied, neither with his supplicatioun nor with the reference, wherein there is nothing contained testifying his repentance for his accession to the late vnlawfull Ingagement, neither for his scandalous offence, interrupting the publik service of God, Therefore the Commission doe refer him back againe to the Presbyterie of Lanerk to take tryell of the evidence of his repentance, both for his scandalous offence in interrupting Gods service, as also for his accession to the late vnlawfull Engagment, and thereafter to receave him to publick satisfaction.

Reference—  
Laird of Garth-  
land to the  
Generall  
Assembly.

Concerning the petition of the Laird of Garthland, for his satisfaction for his accession to the late vnlawfull Engagment, The Commission refers the petitioner to the next Generall Assembly.

Reference—  
Andro Balfour.

The Commission of the Generall Assemblie, having considered the pctition of Andro Balfour, and having heard himselfe, personallie present, Doe refer him to the Presbyterie of Edinburgh to receave his satisfaction before themselves, allanerlie for that measure of accession to the vnlawfull Ingage-

ment which he acknowledges himselfe guilty of, and thereafter to admit him to the League and Covenant.

The Commission of the Generall Assembly, having considered the petition of Captain Andrew Monroe, and having heard himselfe, personallie present, Doe refer him to the Presbyterie of Innernes to try the evidence of his repentance, and thereafter to receave him to publick satisfaction for his accession to the late vnlawfull Engagement, according to his degree of guiltines, and the order prescribed.

Reference—  
Captain Andro  
Monroe.

The Commission of Assembly, having considered the petition of Sir Mungo Murray, and having heard himselfe, personallie present, Doe refer him to the Presbyterie of Stirling to try the evidence of his repentance, and thereafter to receave him to publick satisfaction for his accession to the late vnlawfull Engagement, according to his degree of guiltines, and the order prescribed.

References—  
Sir Mungo  
Murray.

The next meeting the morne at 10 houres.

*Edinburgh, 25 Junij 1650. Ante meridiem.*

*Sederunt* :—**MINISTERS**.—Mr. Robert Douglas, *Moderator*. Mr. Mungo Law : Mr. James Guthrie : Mr. William Jamesone : Mr. John Annand : Mr. Andro Duncansone : Mr. James Nasmith : Mr. Hew Mackaell : Mr. William Guthrie : Mr. David Dicksone : Mr. Samuell Rutherford : Mr. James Robieson : Mr. Fredrik Carmichaell : Mr. Thomas Wyllie : Mr. John Nevy : Mr. James Durhame : Mr. Robert Row : Mr. Robert Baillie : Mr. George Bennet. **ELDERS**.—Lord Southhall : Inglishtoun : David Kennedy : Mr. Robert Burnet : William Browne.

The Commission of Assembly recomends to the brethren vpon the Conference, that they wald [re]present how dangerous it is to suffer Malignants and disaffected persons to duell in garison townes, and therefore to desire that the Parliament wald provyde some way for their removeall.

Reference—  
to the Com-  
mittee of Con-  
ference.

Concerning the petition of the merchands of Edinburgh, to be frie of ane oath exacted of them for the excyse, The Commission desires Mr. Samuell Rutherford, Mr. James Durhame, and Mr. James Guthrie, to draw vp some reasons for cleiring the vnlawfulness of that oath, and to present the same to the Parliament, that thervpon their Lordships may be movit to discharge the exacting thereof, vtherwayes the Comission refers the bussines to the next Generall Assembly.

Reference—  
concerning the  
oath in the  
mater of Excysse  
to the Generall  
Assembly.

The next meeting at 4 hours.

*Eodem die, post meridiem.*

*Sederunt* :—**MINISTERS.** Mr. Robert Douglas, *Moderator.* Mr. Samuel Rutherford : Mr. James Durhame : Mr. Robert Baillie : Mr. James Hamiltoun : Mr. John Annand : Mr. Gawein Young : Mr. George Leslie : Mr. William Guthrie : Mr. Hew Makaell : Mr. David Dickson : Mr. James Guthrie : Mr. James Nasmyth : Mr. Mungo Law : Mr. John Nevoy : Mr. Fredrik Carmichael : Mr. Arthur Forbes : Mr. Thomas Wyllie : Mr. James Robertson : Mr. George Bennet. **ELDERS.**—Lord Southhall : Justice Depute : Inglistoun : David Kennedy : Mr. Robert Burnet : Mr. William Browne.

*'A Seasonable and necessary Warning, concerning present dangers and dueties, from the Commissioners of the Generall Assembly, unto all the members of this Kirk.'*<sup>1</sup>

The Seasonable  
Warning.

'If the eminency of the danger and the necessity of our duty did not constrain us, we had rather choyse<sup>2</sup> to be silent then to emit any publick warning to the land within so few dayes of the meeting of the Generall Assembly; But we should not only run the hazard of just blame from them,' but also be conscious to guiltines in our selves, if we did not in a time of so great strait give warning to the Lords people, both of their danger and of their dutie.

'The insolent and strange actings of that prevailing party of Sectaries in England these yeares past, in reference to Religion and Government, are so well knowne, and have been so often and fully laid open in the former Warnings, Remonstrances, and Declarations of this Kirk, that we need not now take vp much tyme in representing the same, albeit the Reformation of the Church of England, and the advancing of the work of Vniformity there, in Doctrine, Worship, Discipline, and Government, was the great duty that the Lord called that land vnto, and which all the people of God in these three Kingdoms did ingage themselves in Covenant to endeavour to the vtmost of their power; Yet doth that work, so much desired and longed for by all the lovers of Sion in these Nations, and all that concerns Religion, lye in the dust altogether forgotten and despised by those men; and instead of the beauty and order that should be in the House of God, a vast toleration of many grosse errors is allowed, whereby so many and so monstrous blasphemies and strange opinions in Religion have been broached and are vented in England, as the like hath not been heard of almost in any generation; And though Monarchy

<sup>1</sup> Printed with the above title at Edinburgh, 1650, by *Evan Tyler*, Printer to the King's most excellent Majesty, 4°.

<sup>2</sup> *chose* in 4° print.

and the power of Parliaments was the ancient and long continued Government of that Kingdom, yet have those men vsurped aboue the Parliament whose servants they were, and by open violence driven away many, and imprisoned some of the members thereof, and not onely have taken away the House of Lords and destroyed the late King, but also subverted Monarchy itselfe, and turned the foundations vpside downe, and labour to wreathe the yoke of their oppression vpon the necks of our brethren in England, not only in regard of that which concerns their bodies and estates, but also in regard of that which concerns their soules and consciences, whereof that Ingagement that is now pressed in England is a present and publick testimony, being a sore bondage vnder which many in that land now groane; whose case and sufferings for the work of God we desire not only to remember dayly before the Lord in our prayers and supplicatiouns, but in everie thing to regard it as if it were our owne; being confident that such as love the truth and cleave to the Covenant, in these lands, shall obtain mercy of God to be faithfull in the midst of temptatiouns, and that the Lord will not suffer them to be tempted aboue that they are able to bear, but will give vnto them the issue with the temptatioun.

‘This party, after that they have acted such things in England, and also sore afflicted and oppressed our brethren in Ireland, now conceiving that they cannot be established, and that they cannot eat the fruit of their owne devices without contradiction, as long as the Kirk and Kingdome of Scotland stands in their way, threaten vs with a warre by drawing their forces Northward, and sending them in small parties towards the Border, that it may be the lesse discerned what they intend to doe; And if the Lord in His righteous and wise dispensatioun shall suffer them to invade this land, as it is to be feared that the gangrene of their errors may take hold vpon men of ignorant and vnstable mindes, who have not received the love of the truth, so may we, if they prevaile, look for confusion and desolation, and that the pillars both of Religion and Government shall be ruined and razed in this, as well as in our neighbour lands<sup>1</sup>: It doth therefore in the first place concerne all the inhabitants in this Nation to draw near to God, and to mourn for their owne iniquities, and for all the ignorance and prophanity and backsliding that is in the land, and to study to make peace with God in Jesus Christ. The continuance and

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<sup>1</sup> *land* in 4<sup>o</sup> print.



increase of many of those sins, for which formerly we seemed to have been humbled, doth doubtlesse grieve the Spirit of God, and may, if they be not speedily and sincerely repented of, and forsaken, provoke Him to give vs over to the lust of our adversaries. Our King, our Princes, our Nobles, our Pastors, teachers, and people have sinned. Let vs therefore search and try our wayes, and turne again to the Lord. Let vs lift vp our hearts with our hands to God in the heavens, that He may spare and save His people, that they be not a prey to the enemy.

‘ In the next place, As the Parliament of this Kingdome have taken care for putting the land in a posture of defence, so we hope that none shall be so negligent of their duty, and so insensible of their danger, as not to give chearfull obedience to the lawfull commands of their superiors in those things that concern the security of Religion and peace of the Kingdome, and that are necessarie for the defence of the Cause and of their native countrey; but that everie man in his station and calling will willingly and cheerfully acquit himselfe in the diligent and faithfull performance of all the duties that relate to<sup>1</sup> those ends.

‘ It is far from our meaning that any who are tainted with Malignancy and disaffection to the work of God should be allowed or permitted to associate or joyne themselves together by parties in armes, much lesse do we meane that we should associate and joyne with them, or that they should be employed or made vse of, or countenanced, or permitted to be in our armies. The Lord hath so far cleared His mind, both by His Word and works, against these things, that they are very blind who are not convinced herein; and we have made so solemn publick confession of this sin that relates vnto Malignants, and so solemnly engaged ourselves against the same, that they among vs who should again hazard vpon it, should seem to be desperately perverse. It were not only to give great ground of encouragement to the Sectaries, before whom Malignants have already so often fled and fallen, but to discourage the hearts and weaken the hands of men of integrity and godlinesse, who could hardly expect a blessing in the fellowship of such; nay, it were, from the words of our owne former confession and ingagement vnto duties, to proclaim a judgement against the land, till it were consumed without remedy. We are therefore bold, in the Lords name, to warne the Honourable Estates of Parliament, and all whom it concerns in the land,

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<sup>1</sup> *vnto* in 4<sup>o</sup> print.

that they may be farre from such a thing, and that they may take care in their respective places and stations to purge Judicatories and Committees of all scandalous and disaffected men, and speedily and effectually to goe about the removing and purging out from the Army all men of a scandalous conversatioun, and of questionable integrity and affection in the cause of God, and that they imploy non but such as are of a blamelesse conversation and of approven integrity in the Lords work. It shall be a shame for any in this land to be so faithlesse and vnbeleiving as, because of the scarcenesse of men, to make vse of others then such as are thus qualified. The Lord hath not only spoken it in His Word, and verified it in His works in the dayes of old, but hath let vs sie it with our owne eyes, that it is all on with Him to save with few or with many, and that a few whom God will countenance are more worth than many against whom He hath a controversy.

It needs not be matter of stumbling or terrour vnto any that the Army of Sectaries goe masked vnder a vail of seeming holinesse, and that their interprises and designes have been so long and so often attended with successe. These who know them well will acknowledge that many of them are loose and dissolute in their way, and though some of them walk more circumspectlie, yet how can they be accounted truly tender and godly who love to walk in the imaginatiouns of their owne hearts, and in the light of their owne fire, and in the sparkes that they have kindled, corrupting the truth of God, approving errors in themselves, and tolerating them in others, and who, having power in their hands, labour onely to establish safety for themselves, altogether neglecting those things that concerne the honour of God and the Kingdom of His Sonne Jesus Christ? If any of them have anything of the seed of God in them, it cannot but be much blasted with the wind of their own vaine inventions, and choaked and kept downe with the tares of their corruptions. These who shall compare their proceedings with the Word of God, and the Solemn League and Covenant, or look to the effects that followes therevpon, either to Religion or Government, or to the bodies or soules of men, shall finde that, notwithstanding of any pretext, their way is much to be detested and abhorred. Neither doth the Lord spare to execute judgement against seducers and corrupters of the Truth, because they seem not to be subject to personall outbreakings in their lives. Is it not the ground of the great threatnings against Antichrist that he maks many drunk with the cup of his abominatiouns,

which yet for most part are covered with a vaile of externall deuotions? And can the many Antichrists now in England eschew to partake of his plagues who in so great a measure partake of his sinnes?

‘The successe of that party proves not the goodnesse of their cause, or that they shall prosper still. The Lord, who is wonderfull in counsell and excellent in working, hath been pleased to put the rod of His anger and the staff of His indignatioun in their hand for executing of His wrath against Malignants, because of the enmity and opposition of that generatioun vnto the cause and people of God. But if they shall invade this land, and exalt themselves against the Lords inheritance, and the people that are in covenant with Him, for whose sake the Lord did clothe them with power for a time, for taking vengeance vpon His enemies, then shall they stumble, and fall, and be broken in pieces. Though the host of Senachirib did preuaile against Samaria, yet did they fall in Iudah, and he did returne with shame, and was slain with the sword in his owne land. That party hath as yet no cause to boast that God hath prospered them in armes against the Covenant, or against a praying people, stedfast in the Lords Cause, following His way, and waiting vpon Him for helpe and successe. All their encounters have hitherto been against Malignants, and now the Lord having performed so much of His work against that generation, who knowes but the Sectaries day may also be coming, and that when the state of the question shall be changed, God may turn His hand vpon them, and bring vpon them the judgements of a broken covenant, as He hath ever done to all that look that way?

‘We desire that not only others, but the Sectaries themselves, may consider that when England was very low, and well nigh brought vnder the feet of the Popish, Prelaticall and Malignant party, that this Nation was then much solicited for their assistance and reliefe, and even by some of these who have since that tyme been very active and instrumentall for the party which now preuailes in that land. The Kirk and Kingdome of Scotland were then so compassionate of their brethrens condition that they were willing to joyne in a League and Covenant with them, which both Kingdomes, even many of those who are now in the Army, did solemnly swear and subscribe. In prosecution of the ends thereof this Kingdome did send into England a considerable Army, by whose assistance the power of the Malignant party was broken

and brought low, and the Parliament and Army of England put in such a condition that they needed no more fear the strength of their enemies. This League and Covenant, which was the foundation of Englands and the Armies deliverance and safety, the Army hath now forgotten and troden vnder foot, and walk in all their proceedings no lesse contrary thereto then darknesse is vnto light. Neither doth it satisfie them to doe so in their owne land, but they threaten ws also with warre, for no other reason but because we cleave to our duty in these things to which England stands no lesse obliged vnto by Covenant before the Lord then we doe. We may confidently assert and professe before the world that the Lords people in this land are not conscios to themselves of any wrong done to that prevailing party in England. The Engagement in the year 1648 was no lesse abhorred and testified against by the Kirk of Scotland, and by these that are now in place and power in the State, and by all the godlie in the land, then it was by that partie themselves, which did so far convince the House of Commons that, in their letter to the Generall Assembly of this Kirk in the same yeare, they professe that they are assured, that these impious and vnwarrantable actions cannot be done with the approbatioun and assent of the religious and wel-affected people of the Kingdome of Scotland, and that they doe vnderstand that there are verie few amongst these, who were in the Engagement against them, that first engaged with them in the Covenant and Cause but such as are professed enemies to them, however they were content to proceed therevnto, that they might the better deceive the people of England; and that therefore they are vnwilling to impute such evils to this nation in generall. It is known how many fervent prayers and supplicatiouns were poured out in this land before the Lord against that Engagement, and we think we may without boasting say that those prayers had as much influence vpon the defeat thereof as all the power of that Armie. And since that time that Engagement hath been publicly disavowed, disclaimed, and repealed by the Parliament of this Kingdome. Neither hath that party anything to challenge ws concerning Malignants, both Kirk and State having constantly followed, and been<sup>1</sup> still about their duties against them, without conniving at or complying with them in their courses. It is true that this Kingdome and Kirk have protested and testified against the proceedings

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<sup>1</sup> *being* in 4° print.

of Sectaries in reference to Religion and Government, which we could not but doe vnlesse we had forgotten our duty, and the Christian mutuall tyes that lie vpon vs, not only as sister Churches, but as Covenanted Churches, and so make ourselves partakers of their sins, and exposed ourselves to the hazard of their plagues. We in this land, being therefore conscious to ourselves of nothing but dutie, if they shall invade vs for following the same, shall not God look vpon it and avenge it?

‘Whilst we incite men to their duty in the defence of the Kingdome against invasion, and encourage them in performance of the same, we desire not to be mistaken, or that any should so far misconstrue our meaning, as though we did thereby intend to stir vp vnto or approve of ane invasion of the Kingdome of England, or ane engagement in warre against the same. In relation to peace or war in these Nations, we cannot but very much commend and approve the resolutions of the Parliament of this Kingdome, exprest in their letter of the 6th of March to the Speaker of the House of Commons, and instructions sent therewith to their Commissioners 1649, and now againe renewed in an vther letter to the same Speaker of the House of Commons, wherein they acknowledge their obligations and declare their resolutions to observe the rule of remonstrating first the breaches of peace, or craving just reparations, of vsing all fair means of giving a preceeding warning of three moneths before any engagement in these Kingdoms in war, and do hold forth this way of procedour in clearing each others, and dealing plainly, as agreeable not only to particular Treaties and to the many Tyes, Bands, and Declaratiouns past betuixt the Kingdoms, but also to the Law of God and practise of His people in His Word, and to the common law and practise of heathen nations, much more Christian Covenanted Kingdomes; and plainly professe their confidence that the Covenanted God of these Kingdoms, who did take order with these of this nation who did vnlawfully engage against England in the year 1648, Doe<sup>1</sup> still live and reign, and will bring shame and ruine vpon whatsoever partie in either of these nations, that without a necessarie cause and clear calling, and, without observance of the aforesaid rules and order, shall offend and invade the other nation: In all which we doe agree with them in our judgements and resolutions, and conceive that the whole land is bound to tread the same steps and to walk according to the same rules.

<sup>1</sup> *Doth* in 4<sup>o</sup> print.

'Albeit we be diligently to take heed of the danger that threatens from Sectaries, and faithfully to bestir ourselves in our places and stations in the vse of all lawfull and necessarie means for preventing of the same, yet are we not to forget, but also with the same diligence and care to take heed of these dangers and snares that threaten the worke and people of God from Malignants. Malignancy, though a very evill weed, yet is not pluckt vp, but still continues to be on of the raging sins of this land, it being the snare wherewith loose hearts, who cannot endure Christs yoke, are most readily taken. Hence it is that there be still many of that stamp in all the three Kingdoms, who, drawing encouragements to themselves from the influence they have vpon the Kings counsell, and hardening themselves in their way by the proceedings of Sectaries, doe still follow their former designes, and wait for their day, and would rejoyce in the ruine or halting of these who adhere to the Covenant. And experience proves that many of these, who have seemed to repent of and abandon that way, yet doe not really shake off that sin that hangs so fast on, but vpon new temptatiouns fall againe vpon that same wickednesse, and prove worse then of before; which may be a caution to ws not suddenly to trust them. We make no doubt but that Malignants will by all means endeavour that there may be room left for them to vndermine the work and people of God, and engage the Kingdom in a new war, vpon terms of their devising, destructive to Religion and the Covenant.

'In reference to dangers vpon the right hand and vpon the left, besides any duty already represented to ws, we conceive it incumbent to ws seriously to recommend the following particulars to all the land, especially to these that are in trust either in Judicatories or Armies.

'1. First. To watch and pray that in no thing they be deceived, or come short of the duty wherevnto the Lord calls them in a time of so many temptatiouns and great difficulties.

'2. Every on would labour not only for the knowledge of the truth, but to have the power and love thereof engraven on their hearts, that they may from an inward principle of grace and spirituall life avoid erour and all the snares which lead therevnto, and be encouraged to contend earnestly for the faith which God hath been pleased to deliver to His Kirk in this land.

'3. Not only is open Malignancy to be avoided, but men would watch that enmity against the work and people of God, which

ordinarily is the birth of jealousie and discontent, and of familiar conversing with such as are disaffected to or lukewarm in the Cause of God, steal not into their hearts, and gain not vpon their affections by degrees. Experience almost of all backsliding times and persons hath proven that the fellowship of men of a disaffected or lukewarm temper blunts the edge of tendernes and zeale, and steales away the heart first from honest instruments, and then from the Cause itselfe. There have been and are still some in the land who in a cunning way of insinuation foment jealousies and act divisions, whilst they seeme to be friends to the Cause, and by this meanes doe more harme then others by open violence. These we would mark, and avoid them, that we may neither endanger our selves, nor give offence vnto others, nor prejudice the Cause of God.

‘4. We would take diligent heed that in no thing we receede from the just and necessarie desires of this Kirk and Kingdom, propounded to his Majestie for securing of Religion and setting the peace of the Kingdom; But that we cleave closely to our former resolutions in those things. If we remit, and grow slack and yeeld in any of them, as it shall increase the hopes and endeavours of carnall and disaffected men, so shall it provoke God against ws to leave ws to our selves till we be plunged in a fit of backsliding.

‘5. It concerns ws to take heed that we doe not tread the steps of those who carried on the late vnlawfull Engagement against the Kingdom of England in anything already condemned by this Kirk and Kingdom, especially to beware of changing the state of our Cause, or altering the matter of our quarrell, either by laying aside of Gods interest, and taking vp of mans, or by preferring or equalling mans interest vnto Gods. This were to turne vpside downe the whole tenour of our principles and procedors, and not only to spoyle ws of all the comfort we can look for from our Covenant, but also to bring vpon our selves the guilt and reproach of all the sin of those who carried on that Engagement, so much condemned and borne testimony against in this land.

‘6. We would beware of losing the advantage of defenders, seeing our strength most consist in the equity and cleannes of the Cause, and the holy and righteous way in pursuing of the same. It shall be better for ws, rather to endure straits for a time, then by precipitating and making hast in the dark to rush against the wall, and spoil ourselves of that peace and comfort which we may have in waiting till God goe before ws.

'7. We desire that all the land may be still pouring out their prayers and supplications before God, that the Kings majesty may really and wholly abandon all Malignant principles and counsells, and joyn cordially in the Covenant and Cause of God.

'8. As the people of God through the land would be careful to discerne of dangers, and avoid snares from, and compliances with, both Sectaries and Malignants, so would Ministers be diligent and faithfull in pressing of these dueties, and that in a solide and convincing way, and labour to make it appear that they speak not against the one or the other from passion or interest, but vpon the grounds of Divine reason, and from the light and authority of Gods Word, that so they may make themselves manifest to the consciences of their hearers, and stop the mouths of gainsayers.

'Finally, all the inhabitants of the land would be aware of pride and carnall confidence, and in a humble way would wait vpon the Lord, and tread the steps of holinesse and righteousness; and He, who hath done great things for ws, shall yet save ws.'

The Commission appoints the Warning now emitted to be communicat to the honourable Estates of Parliament by Messrs. James Hamiltoun, John Annand, and James Nasmith, and that the same be red in the severall Kirks, and that letters be written for that effect.

Order for communicating the Warning to the Parliament and Presbyteries.

The Commission appoints Mr. Thomas Wyllie and Mr. John Hog to preach to the Parliament the next Sabbath.

Concerning the petition of Donald Robiesone, tutor of Struand, and the testimonies concerning him, The Comission appoints the Presbyterie of Dunkeld to try yet further his repentance, and thereafter to report to the Comission appointed by the Synod for Visitatioun of the Presbyterie of Auchterardor, And refers vnto the saids Visitors the said Donald Robiesone, giving vnto them power, vpon evidence of his repentance, to relax him from the sentence of excommunicatioun.

Reference—Donald Robiesone, tutor of Strowan.

The Commission of the Generall [Assembly], having considered the petitions of Rorie M'Kenzie, fiar of Fairbairne, and of Rorie M'Kenzie of Dachmaloch, Doe refer them to the Presbyterie of Innernes to try the evidence of their repentance, and thereafter to receive them to publik satisfaction for their accession to the late rebellion in the North with James

Reference—Rorie M'Kenzie to the Presbyterie of Innernes.



Grahame, according to their degree of guiltines, and the order prescribed.

The nixt meeting the morne at 9 houres.

*Edinburgh, 26 Junij 1650.*

*Sederunt*:—**MINISTERS**.—Mr. Robert Douglas, *Moderator*. Mr. David Dickson: Mr. James Hamiltoun: Mr. John Annand: Mr. Arthur Forbes: Mr. Hew Makaell: Mr. Alexander Rollock: Mr. Robert Baillie: Mr. John Nevoy: Mr. James Guthrie: Mr. Samuell Rutherford: Mr. James Durhame: Mr. Gawein Young: Mr. George Bennet: Mr. William Guthrie: Mr. William Row: Mr. Thomas Wyllie: Mr. Kenneth Logie. **ELDERS**.—Lord Southhall: Inglistoun: Swintoun: Mr. Robert Burnet: David Kennedy.

Advice to Mr.  
Alexander  
Rollock.

Master Alexander Rollock, having desired the advice of the Commission concerning the Magistrats and Counsell of Perth, who had not given satisfaction for their capitulation with the Earle of Lanerk, The Commissions advice was that the Presbyterie of Perth should then putt them to their publick satisfaction therefore, in a solemn way, and thereafter admitt them to the Covenant; And that special notice be taken of these who have been active Malignants, that such be not suddenly received, till they be fully satisfied of their repentance.

The nixt meeting the morne after sermon.

*Edinburgh, 27 Junij 1650.*

*Sederunt*:—**MINISTERS**.—Mr. Robert Douglas, *Moderator*. Mr. Samuell Rutherford: Mr. John Nevoy: Mr. James Hamiltoun: Mr. John Annand: Mr. James Durhame: Mr. David Dickson: Mr. James Guthrie: Mr. Mungo Law: Mr. Thomas Wyllie: Mr. Alexander Rollock: Mr. George Bennet: Mr. William Guthrie: Mr. Hew Makaell: Mr. George Leslie. **ELDERS**.—Lord Southhall: Treasurer Depute: Harden: Justice Depute: Buchantie: David Kennedy: Robert Lockhart: Mr. Robert Burnet: Mr. Thomas Murray.

Letter from  
Mr. John  
Livingstoun.

This day a letter produced by the Moderator from Mr. John Livistoun, on of the Commissioners, concerning the Kings arrival; Tenor whereof followes:—

‘**REVEREND AND DEAR BROTHER**,—About 10 or 11 a clock we came to ancker after much tossing. All the particulars mentioned in your last letters are holpen, and the King hath granted all desired, and this day hath sworne and subscribed

the 2 Covenants in the words of your last Declaratioun, and with assurance to renew the same at Edinburgh, when desired. What difficulties we have had and what deliveries, we hope to impart at meeting. I intreat some be sent to relieve ws, for if the King march slowlie, we cannot leave him till some others come. For the heart the Lord judgeth, but for the outward part I thinke yow shall not desiderate anything. I say no more. Mr. Hutcheson is goeing to sermon, and we are not to goe ashore till tomorrow. The Lords blissing be on His work and people, and yow all. I am,

Your Loving Brother,

'From aboard the *Skidam* of Amsterdam,  
lying at anchor at  
the mouth of Spay,  
Sabboth, 23 Junij  
1650.'

*Sic subscribitur,* Jo. LIVINGSTONE.'

This day the Lord Marques of Argyle and the Earle of Buccleugh communicat to the Commission the letters sent to the Parliament from their Commissioners concerning the Kings arrivall, together with the letters they returned to them in answer; For which correspondence the Commission returned to their Lordships heartie thanks, and appointed Mr. James Hamiltoun, Mr. John Nevoy, and Mr. Thomas Wyllie to communicate to their Lordships the letter sent vnto them by Mr. John Livistoun.

Order for communicating Mr. John Livistons letter to the Parliament.

The Commission of Assembly appoints Messrs. David Dickson, Samuell Rutherford, James Durhame, Mungo Law, James Guthrie, James Hamiltoun, Hew Makaell, George Leslie, Lord Southhall, Justice-depute, Buchantie, Mr. Robert Burnet, with the Moderator, to be a Comittee to confer with the Comittee of Parliament concerning addresses to be made to the King, and of any vther thing necessarie in prosecution of their former desires to his majestie, As also vpon all things necessarie for securitie of the Kingdome at this tyme against the invasion of the Sectaries and the secret plotts of Malignants.

Committee for conference vpon the Adresse to his Majestie.

The nixt meeting at four hours.

*Eodem die, post meridiem.*

*Sederunt* :—**MINISTERS**.—Mr. Robert Douglas, *Moderator*. Mr. Thomas Wyllie: Mr. John Nevoy: Mr. Mungo Law: Mr. Alexander Rollock: Mr. James Hamiltoun: Mr. James Durhame: Mr. David Dickson: Mr. William Guthrie: Mr. Samuel Rutherford: Mr. John Annand: Mr. George Leslie: Mr. James Guthrie: Mr. Patrik Gillespie. **ELDERS**.—Lord Southhall: Thesaurer Depute: Justice Depute: Mr. Robert Barclay: Mr. Robert Burnet: David Kennedy.

Ane vther letter  
from Mr. John  
Livistoun.

Ane vther letter produced this day from Mr. John Livingstoun, tenor whereof follows :—

‘**REVEREND AND DEAR BROTHER**,—This day we came a schore. Yesterday I wrote a lyne in haste. For the outward part the King hath performed all that was desired, except in the matter of persons. Yesterday he swore and subscribed the Covenant in the words of the Declaratioun, and if he were in good companie, I thinke he might doe well. But trewly there is here such a swarme, some of our countrey, some of English, as I fear may bring a curse on any purpose or company they are in. We cannot get it holpen. The Lord give yow wisdome and counsell for it. Now is the tyme if ever. We long to see yow or hear from yow, for we are like to be tagled in the way. There was not on of the particulars quarrelled in the last letter from the Commission by Edward Gillespie, but we all did reason against them as we could. But for particular caryages we leave till meeting. I say no more, being in haste, but restis,

Your Loving Brother,

*Garmouth,*  
24 Junij 1650.

*Sic subscribitur,*

JO. LIVINGSTONE.’

The Commission thinke it verie fitting that some of their number be sent to the Kings Majestie to congratulat his happie arrivall; Therefore appoints a Commission, with a letter to the Commissioners there, to be prepared against to-morrow.

The nixt meeting the morne at 7 hours in the morning.

*Edinburgh, 28 Junij 1650.*

*Sederunt*:—MINISTERS.—Mr. Robert Douglas, *Moderator*. Mr. Thomas Wyllie: Mr. William Guthrie: Mr. John Annand: Mr. George Leslie: Mr. Samuel Rutherford: Mr. Patrik Gillaspie: Mr. David Dickson: Mr. James Guthrie: Mr. Mungo Law: Mr. Alexander Rollock: Mr. James Durhame: Mr. Hew Makaell: Mr. John Nevoy: Mr. James Hamiltoun. ELDERS.—Lord Southhall: Thesaurer Depute: Sir John Cheislie: Justice Depute: Mr. Robert Barclay: Mr. Robert Burnet: David Kennedy.

The Commission of the Generall Assembly, hearing that the Kings Majestie is now come into Scotland, thinke fitt to send some of their number vnto his Majesty; Doe therefore nominat and appoint Mr. David Dickson, Professor of Divinity in the Colledge of Edinburgh; Mr. James Guthrie, Mr. James Durhame, Ministers; and Mr. Robert Burnet, ruleing Elder, to repair vnto Aberdene, or where the King shall be for the tyme, and, in name of the Kirk of Scotland, to congratulat his Majesties safe arrivall into this Kingdome, and to deale with him to abandon all Malignant company and fellowship, that he may thereby give reall prooffe that he is sensible of the evill that hath comed to him, and to his Fathers house, and to his Kingdoms, from these mens counsell, and that he purposes from henceforth to abandon their principles and courses; And appoints them also to concur with the Commissioners that are already there, and in their stations to assist such as the Parliament shall imploy for making effectuell the removeall of all Malignant and prophane persons from about his Majestie, and out of his family; And thinks fitt that they returne against the doune-sitting of the Generall Assembly.

Commission to Mr. David Dickson and others to goe to the Kings Majestie.

‘REVEREND BRETHREN,—We have sent some of our number to congratulat his Majesties safe arrivall into this Kingdome, and for such other particulars as are mentioned in their Commission. We are glad that the Lord hath been pleased to bring yow so safe home through so many difficulties and dangers; And the Generall Assembly being now so nigh, it will be fitt that two Ministers of your number doe repair thither against the downe sitting thereof, to give them an accompt of your proceedings, And that one Minister of your number stay, and wait vpon his Majestie till the Generall Assembly take course for provyding him with Ministers, which

Letter to the Commissioners with the Kings Majestie.

we shall be carefull to endeavour with convenient diligence.  
We commend yow to God, and continues,

‘Your Affectionat Brethren,

‘THE COMISSIONERS

OF THE GENERALL ASSEMBLIE.’

‘*Edinburgh, 27 Junij 1650.*

‘Direct : *To their Reverend Brethren, the Commissioners for the Kirk now with the Kings Majestie.*’

Committee for  
revising the  
superstitious  
solemnities in  
the Kings  
Coronation.

The Commission appoints Messrs. James Guthrie, James Durhame, David Dickson, with the Moderator and the Ministers of Edinburgh, my Lord Southhall and Mr. Alexander Colvill, to be a Committee to confer with the Lords of Parliament for revising the order of the Kings coronation, that all superstitious solemnities therein contained may be removed.

A. KER.

‘*Edinburgh, 13 Julij 1650, post meridiem.*

‘*Approbation of the proceedings of the Commissioners of the Generall Assembly.*

‘The Generall Assembly, having heard the report of the Committee appointed for revising the proceedings of the Commissioners of the preceding Assembly, and finding thereby that in all their proceedings they have been zealous, diligent, and faithfull in the discharge of the trust committed to them, Doe therefore vnanimously approve and ratifie the whole Proceedings, Acts and Conclusions of the said Commission ; Appointing Mr. David Lindsay, Minister at Belhelvie, Moderator *pro tempore*, to return their heartie thanks, in the name of the Assembly, for their great paines, travails and fidelitie.

‘MR. DAVID LYNDESAY.’

## APPENDIX

A DECLARATION OF THE RIGHT HONOURABLE JAMES, MARQUIS AND EARL OF MONTROSE, LORD GREEN AND MUGDOCK, Captain-General of all His Majesty's Forces, raised and to be raised for his service, in his Kingdoms of Great Britain, concerning his Excellency's Resolution to settle his Majesty, Charles the Second, in all his Dominions, July 9, 1649.—*London, printed in the year 1649. Quarto, containing five pages.*

ALTHOUGH the universal and just reputation of that cause, in which at present I am engaged ; the barbarity of those rebels, against whom I am designed ; my manifest constancy and fidelity to the trust reposed in me by the late King, of ever blessed memory ; my honest and honourable behaviour in the late wars ; my candid and sincere profession of the true protestant religion, might very well wipe away all those foul and base aspersions, which my enemies (and not so much mine, as his Majesty's) have maliciously thrown upon me, and remove all those jealousies and causeless suspicions, which many have erroneously conceived against me ; yet, that I may clearly demonstrate my disposition and passionate desire to give the world full and perfect satisfaction of the candour of my intentions in this present design, I will, this third time, open the book of my soul, and clearly deliver the very sense of my heart, and tenour of my resolutions, in the prosecution of this present engagement ; wherein I shall neglect nothing, that may win credit to my present undertakings, propagate his Majesty's service to the best advantage, and stir up all his Majesty's loyal subjects to a unanimous conjunction with me in this pious and honourable enterprise.

And, first, I must, with very affectionate regret, acknowledge myself to be deeply sensible of that harsh and uncharitable censure, which the Parliament and Kirk of Scotland are pleased to pass upon me, giving a mis-interpretation to the best of my actions ; the very worst whereof, I am well assured, might have justly deserved an honourable reward. But such is the unhappy fate of some men (in which list I am unfortunately inrolled) that even their best actions are clothed with scandal, and their most faithful services rewarded with disgrace. But, to shew that there shall be nothing wanting in me, that may give any satisfaction to that

kirk and kingdom, I do here solemnly protest, in the presence of Almighty God, who knows the secrets of all hearts, and to whom I must one day give a just account of all my actions, whether good or evil, That I do intend, nor will act, nothing prejudicial to the wellbeing and present government of that kirk and kingdom ; but will, with the utmost hazard of my life and fortune, preserve them in the full perfection of their glory and splendour ; and, by God's assistance, will faithfully endeavour to settle his Majesty, my dread sovereign lord, in the thrones of his kingdoms ; to maintain and continue his just and indubitable prerogative, the privileges of the parliament, the authority of the kirk, and the immunities of the people ; and shall freely leave the continuance, or alteration, of government, either in church or state, in his Majesty's other dominions, to the judgment and discretion of his Majesty and the parliaments thereof. And, by the same solemn protestation, I do further engage to intermeddle with nothing, but the affairs of the sword ; wherein as always, so my behaviour herein shall declare me a Christian, as well as a soldier ; most cordially desiring my proceedings herein no otherwise to be blessed, or blasted, than I shall exceed, or confine myself to, the limits of my present declaration.

And, although the crimes of my combatants are loud and capital, common even in the mouths of the lowest vulgar ; yet I shall think it no vain tautology to make a brief repetition of their tedious treasons, that the world may see with what justice and conscience I am backed, in pursuing their destruction, who have so far abused the credit of parliaments, that they have made them odious and terrible to the people. And, certainly, the world cannot but take notice, that their oaths, covenants, protestations, declarations, fastings, and thanksgivings are no other but engines of fraud and deceit to cheat and delude the people ; and their fears and jealousies, and so often suggested dangers, but landskips, or counterfeit thunders, to amaze and affright the admiring multitude, while, through large and specious pretences, and expectation of liberty and freedom, they are cunningly conveyed into a miserable and eternal bondage. These are they, who, cancelling the sacred bonds of religion and loyalty, forfeited their trust both with God and man ; and, in pursuance of their own base and ambitious ends, eight years since, in the name, and under the authority of the Parliament of England, waged war against their sovereign, and, under pretence of the defence and preservation of the protestant religion, his Majesty's royal person, the privileges of parliament, the law of the land, and liberty of the subject, drew the over-credulous people into a most intestine and savage rebellion, to the utter ruin and subversion thereof. For, instead of settling religion in its ancient purity, they have set open the floodgates of confusion, and overflowed the church with a whole sea of unheard-of errors, heresies, schisms, and damnable blasphemies, to the scandal and ruin thereof. The privileges of parliament are quite broken, they have destroyed the very being thereof, not having left so much as a picture of a parliament : The law of the land is quite subverted and annihilated, the stream thereof being

wholly turned into the arbitrary channel of their usurping wills : The liberty of the subject is subjected strangely to the insupportable slavery of their monstrous tyranny. And, for his Majesty's sacred person, it was preserved indeed, but to a miserable catastrophe ; for, after their many desperate and bloody battles, wherein they aimed at, but could not reach it, yet at length, being delivered up to them upon their faith, and the faith of the kingdom, after a long and tedious imprisonment, wherein he was debarred from all the common comforts of this life, and when he had granted such large and free concessions, as even themselves had voted satisfactory, and tending to the peace of the kingdom : Yea, and one of his greatest and most ancient enemies had ingeniously acknowledged, in open parliament, to be such, so many, and so gracious, as were never before granted by any king, in any age of the world : Yet, even after all this, laying aside all principles of honour and honesty, nulling their own faith, and the whole kingdom's, contrary to all their vows, protestations, and declarations, to the truth whereof they had so often called God to be a witness ; and abjuring all their oaths, solemn leagues, and covenants, manifesting their thirsty appetites to royal blood, after a most disgraceful manner, they bring his sacred person to the mock-bar of justice, where, after many taunts, scorns, and contempts cast upon the brow of sovereign majesty, permitting Unjeckt, a villain, to spit in his royal face, their bloody president passed a grim and ugly sentence upon him, which, upon the thirtieth of January, 1648, was barbarously executed upon a scaffold, in the face of the sun, and sight of his people, before his royal court-gate, where, as a traitor, they suffered his royal head to be chopped off, by the hands of the common hangman. Nor did they cease to pursue their malice, even after death, laying the odious scandals of tyrant, traitor, and murderer on his royal name ; and yet employ their most exquisite skill to perpetuate his memory to posterity in an infamous and loathsome character.

And, as if they had made a covenant with hell to banish modesty, and put on a resolution to be wicked, that their sin might be as boundless as their wills, and their rebellion as unlimited as either, they overthrew the foundation of government, even in that instant that they declared to maintain it, and are entered into a solemn agreement to abolish monarchy, and, in the room thereof, to establish an eternal anarchy ; and, to that end, have disinherited all the royal issue, and proclaimed that their act in the customary places, with all solemnity.

For restoring of whom, and reducing all things, both in church and state, into their ancient and fit channel ; although it hath always been my constant and solicitous request to his Majesty, to give me leave to serve him only in a private command, yet I have received a commission, under his royal hand and seal, whereby I have full and free authority to raise an army, and therewith to enter any part of his Majesty's kingdoms of Great Britain, and there to fight with, kill, and slay all that I shall find armed, or acting in rebellion against his Majesty ; and to give a free and absolute pardon to all such, as, in apprehension of their offences,



shall lay down their arms, and submit to mercy. For the due execution of which commission, I declare, that I will, by God's assistance, speedily enter the kingdom of Scotland, through which I will march into the kingdom of England, where I will receive into mercy all such as, by the fifth of November next ensuing, shall lay down their arms, and, renouncing their rebellion, humbly submit themselves to his Majesty's obedience, and will give them such entertainment, as I shall find compatible to their capacities. And I do further declare, that, after that day, I will receive none to mercy; and do solemnly protest, never to lay down arms, not doubting of God's assistance to hold them up, until I have reduced all rebels to their due obedience; and I will, with all violence and fury, pursue and kill them, as vagabonds, rogues, and regicides; not sparing one that had any hand in that horrible and barbarous murder, committed upon the sacred person of our late dread sovereign; but utterly extirpate and eradicate them, their wives, children, and families, not leaving one of their cursed race, if possible, to breathe upon the face of the earth.

And I do now conjure all his Majesty's good subjects, by all ties, sacred and civil, by the duty they owe to God, by their loyalty to their sovereign, by their love to their native country, and by their tender affection to their dear wives, children, and posterity, that they make their speedy repair to Enderness in Scotland, or to any other place upon my march, and to join with me in this pious and honourable engagement, for the defence of the protestant religion, the privileges of parliaments, the laws of the land, the due execution of justice, and their redemption from bondage, and, as a necessary means hereunto, for the speedy establishing of his Majesty in his thrones, in power and greatness, wherein, I doubt not, but we shall meet with the blessing of God, and prosperous success.

*From Hafnia, in the kingdom of Denmark,  
July 9, 1649.*

DECLARATION OF HIS EXCELLENCY JAMES, MARQUIS OF MON-  
TROSE, EARL OF KINCAIRDINE, LORD GRAHAM, BARON OF MONTDIEU,  
Lieutenant-Governor and Captain-General, for His Majesty, of the  
kingdom of Scotland, anno 1649.

*In tanta reipublicæ necessitudine, suspecto senatûs populique imperio, ob certamina potentium et avaritiâ magistratuum, invalido legum auxilio; quæ vi, ambitu, postremo pecunia turbabantur; omnem potestatem ad unum redire pacis interfuit, non aliud discordantis patriæ remedium quam ut ab uno regeretur.*  
C. TACITUS.

Tho' it may seem both a public and private injury, rather than matter of duty or just procedure, to do any act whatsoever that can in so much as appear to dispute the clearness of this present service, or to hold

such enemies as a party, the justice of his majesty's cause, the wickedness of those rebels, and my own integrity, being all of them so well and so thoroughly known as they are ; Yet the further to confirm the world, the more to encourage all who are to engage, and the powerfuller to convince many who have harmlessly been involved, and innocently inveigled in those desperate courses, I do, in the name of his most sacred majesty, and by virtue of the power and authority granted by him unto me, declare,

That howbeit there have been, and still are, an horrid and infamous faction of rebels within the kingdom of Scotland, who most causelessly at first did hatch a rebellion against his late majesty of glorious memory ; and when he had granted unto them, by their own acknowledgement, all their violent and most unjust desires, they were so far from resting, notwithstanding, satisfied, as that, being themselves able to find no further pretences, they did perniciously sollicit one party in the kingdom of England, to begin, where shame and necessity had inforced them to leave off ; and when those of the English, being by much less wicked, would have often satisfied themselves by his majesty's extraordinary concessions, they then, not intending the desperate lengths which fatal success and their hollow practices did thereafter drive them to, did still thrust in, as oil to the fire and ganger to the wound, until they had rendered all irrecoverable : neither were they contented in the fox-skin alone to act this their so brutish a tragedy, which indeed could never have served their ends, but while they had received all imaginable satisfaction at home, as their own very acts of parliament doth witness, wherein they say, 'That his late majesty parted a contented king from a contented people,' finding their rebel-brood, whom they had begot in England, beginning to lessen, and that his majesty's party appeared to have by much the better, they not only, contrary to the duty of subjects, but all faith, covenants, oaths, attestations, to which they had so often invoked God, his angels, the world and all, as witnesses, did enter with a strong army the kingdom of England, persecute their prince in a foreign nation, assist a company of stranger-rebels against their native king, and those of his loyal party, within that same kingdom, except for which, the whole world does know, his majesty had, without all peradventure prevailed. And not ashamed of all this, which even many of their own party did blush to avow, when his late majesty was, by, God knows, how many unhappy treacheries, redacted to think upon extreme courses for his safety, he was pleased, out of his so much invincible goodness, and natural inclination towards his native people, notwithstanding all their former villainies, to chuse that ignoble party to fall upon, thinking, that those whom his greatness and their duty could not oblige, his misery and their compassion might perhaps move with pity ; yet, too justly fearing their *Punic* faiths, he first resolved to engage them by a treaty : after which, when, by many intercourses, his majesty had received all manner of assurances, which, tho' shame would make them willingly excuse, yet guilt will let them have nothing to say for it, it being so undeniable, and

to all the world so known a truth, casting himself in their hands, they, contrary to all faith and paction, trust of friends, duty of subjects, laws of hospitality, nature, nations, divine and human, for which there hath never been precedent, nor can ever be a follower, most infamously, and beyond all imaginable expression of invincible baseness, to the blush of Christians and abomination of mankind, sold their sovereign over to their merciless fellow-traitors to be destroyed ; with whom, how they have conspired his destruction, their secret intercourses, both before, in the time, and since this horrid murder, do too evidently declare. Of all which villainies they are so little touched with the guilt, as they now begin with his majesty upon the same scores they left with his father, declaring him king with provisos ; so robbing him of all right, while they would seem to give some unto him ; pressing him to join with those who have rigged all his dominions in rebellion, and laid all royal power into the dust, that in effect he would condemn the memory of his sacred father, destroy himself, and ruin his faithful party within all those dominions. These are those who at first entered England, soliciting all to rise in this desperate rebellion, as the prologue of their ensuing tragedy ; who were the chief and main instruments of all the battles, slaughters, and bloody occasions within that kingdom ; who sold their sovereign unto the death, and that yet digs in his grave ; and who are more perniciously hatching the destruction of his present majesty, by the same bare, old, out-dated treacheries, than ever they did his sacred father's : yet the people in general having been but ignorantly misled to it, whose eyes now for the most part God has opened, and turned their hearts, at least their desires, to their dutiful obedience, and that has still been a loyal party, who have given such proofs of their integrity, as his majesty is moved with a tender compassion for those righteous' sakes, in behalf of all who now at last have remorse for their former misdemeanors. His majesty is not only willing to pardon every one, excepting such who, upon clear evidences, shall be found guilty of that most damnable fact of murder of his father, who, upon sight or knowledge hereof, do immediately, or upon the first possible conveniency, abandon those rebels, and rise and join themselves with us and our forces in this present service ; but also to assure all who are, or will turn loyal unto him, of that nation, that it is his majesty's resolution, which he doth assure, and promise unto them upon the word of a prince, to be ever ready to ratify, so soon as it shall please God to put it in his power, according to the advice of the supreme judicatures of that kingdom, all that has been done by his royal father, in order to their peace ; desiring nothing more, but their dutiful obedience and faithful services, for the revenge of the horrid murder of his father, his just re-establishment, and their own perpetual happiness under his government.

Wherefore all who have any duty left them to God, their king, country, friends, homes, wives, children, or who would change now at last the tyranny, violence, and oppression of those rebels, with the mild and innocent government of their just prince, or revenge the horrid and

execrable murder of their sacred king, redeem their nation from infamy, themselves from slavery, restore the present, and oblige the ages to come; let them as Christians, subjects, patriots, friends, husbands and fathers join themselves forthwith with us in this present service, that is so full of conscience, duty, honour, and all just interests, and not apprehend any evils, which they may fear can fall, half so much as those they presently ly under; for tho' there may appear many difficulties, yet let them not doubt of God's justice, nor the happy providence that may attend his majesty, nor their own resolutions, nor the fortunes of those who are joined withal; resolving, with Joab, to play the men for their people, and the cities of their God, and let the Lord do whatever seemeth him good; wherein, whatsoever shall behappen, they may at least be assured of Crastinus's recompence, that, dead or alive, the world will give them thanks.

MONTROSE.

**A DECLARATION OF THE GENERALL ASSEMBLY OF THE KIRK OF SCOTLAND**, in answer to the Declaration intituled, *A Declaration of the Parliament of England, upon the marching of their Army into Scotland; and concerning present dangers and duties, in reference both to Sectaries and Malignants* [anno 1650].

Albeit the Commission of the former Assembly did lately lay open the dangers wherewith the Land is now threatned, and the duties relating thereunto, yet we could neither satisfie the expectation of others, nor have peace in ourselves, if in such a day of blasphemie and rebuke, we did not take some pains to discover the snares, and refute the calumnies of Enemies, and exhort the Lord's People in this Land to their dutie, and encourage them in the performance thereof.

That Invasion which was formerly threatned by that prevailing Party of Sectaries in *England*, is now so far promoted and carried on, that they are marched into our Border with a numerous Army of Horse and Foot: And that they may deceive the Nations abroad, and such as are simple in this, or in our neighbour Land, with specious pretexts, they have published unto the world a *Declaration*, wherein they not only declare their resolution concerning the marching of their Army into *Scotland*, but labour to hold forth the justice and necessitie of such resolutions and actings. And although there be not anything in that Declaration, which a man of ordinary capacity and understanding, who is acquainted with the progresse and estate of affairs in these Kingdomes, and is un-biassed in his judgment and affections, may not answer. Yet, lest our silence should stumble any, and that we may help those who are either weak in discerning or ignorant of the publick Proceedings, we shall make reply thereunto.

It is intituled, *A Declaration of the Parliament of England*, as if the resolutions contained therein had their rise and originall from the lawfull authoritie and the supreme power of the Kingdom of *England*. But the

world knoweth the contrary. The same proud and turbulent army, who now threatens us with Invasion, having long ago usurped above the Parliament, put down the House of Lords, and modelled the House of Commons into a poor company of time-serving humours ; who, fearing men more then they fear God, and desiring to please men rather than God, are content to crouch under the burden, and to lend their names to the counsels and contrivings of the enemy, and to cloath their insolent and strange actings with that shadow of authority that is in them, as pretending to be a Parliament.

There is little in the Narrative which may not be sufficiently spoke to, when we shall refute the grounds of their Invasion ; onely we desire to take notice of these things in it. First, that they do insinuate that there is a party in *Scotland* whose principles may dispose them to the same ends with them, when they shall have discovered their own true interest. But we blesse the Lord, and dares professe it before the world, that there is no such party in this Land ; we know none either in Kirk or State, nor in our Army, who are tainted with their errours, or do not abhorre their designs and actings : and a Sectarie is (by the good hand of God upon the purity of His Ordinances) so rare a thing in *Scotland*, that we think few, or almost none, can be named in all the Land. Secondly, they magnifie their own patience, in regard of the making use of force in reference to *Scotland*, by which they do not obscurely proclaime that the Cockatrice Egg of invading this Kingdom hath been long in hatching amongst them, and that their present actings are but the fruits of former designs whose foundation was laid long ago : The Kirk and Kingdom of *Scotland* being indeed the great eyesore that hath alwayes stood in that parties way, without whose overthrow they conceive it impossible to establish themselves. Thirdly, they hold out the totall averseness of this Nation to amitie and friendship with their so called Common-wealth as a thing most apparent, and seemes to pitch upon this, as that which hath broke their former professed patience, and puts them on to execute what they had formerly designed, which, as it doth vindicat these who are now in power in the Land, from all things tending to compliance with that Party, so doth it prove, that they will make war upon this Kingdom, because they cannot gain them to favour and befriend their way, and seems to contradict what they did insinuat concerning a Party therein, whose principles may dispose them to the same ends with them.

In the next place, after they had professed their resolutions of sending an Army into *Scotland*, they proceed to speak of the justice, necessitie, and ends thereof, for making out the justice of this Invasion. They bring three particulars : The first whereof, which they seem to passe in transition, and not to lay much weight upon it, Is the many wrongs and provocations done by the Commissioners of *Scotland*, whilst they were residing in *England*, which are instanced in their usurping upon Acts of the Legislative power, and their frequent pretensions to, and contestations about a joynt interest in some Acts of it : Their seducing of the People of *England* from their affection and dutie to the Parliament, to embrace and

promote the interest of the late King, under pretence of the Covenant, laying amongst the People foundations of concurrence with the future Invasion, etc. It seemes strange to us, that these who have been the greatest Usurpers upon the Legislative power of any who have lived in this Generation, should so much challenge others of usurpation upon it, and pretensions to, and contestations about a joynt interest in it, and that without ground. We are sure that none of the Commissioners from *Scotland* ever did assume or claim to themselves a vote in the Parliament of *England*. It is true, that as the Kingdom of *Scotland* had joynt forces in *England*, so their Commissioners were invited and desired to joyn Counsels and resolutions with the *English* in Committees and otherwise, to prosecute the same Cause according to the Covenant and Treaties; and that they contended for a joynt interest in disposing of the King's Person, as being a thing wherein both Kingdomes were equally concerned, and that they acted in some things of common interest in a co-ordinate way. It is also true, that by Letters, Remonstrances, and otherwise, they did often incite the Parliament of *England* to their duty, and expresse their dissatisfaction when they were slack in the same, or averse from it; But all these things are free from usurpations upon the Legislative power of *England*, and pretensions to, and contestations about a joynt interest in Acts of it. If any of them were active in seducing of the People of *England* from their affection and duties to the Parliament, or did embrace and promote the interest of the late King, under a pretence of the Covenant, further then the Covenant doth oblige them, or did lay amongst the People foundations of concurrence with the future Invasion; of these things, as there was no warrant nor command for them from this Kingdom, so were they never owned by these who now rule more than that Invasion itself was.

The second particular which they pitch upon, is, the late invading of *England*, authorized and commanded by the Parliament of *Scotland*, and, as to heighten it the more, they prosecute and aggredge it in severall particulars; as the taking in of *Berwick* and *Carlisle*, and the making of warre without any previous declaration of hostilitie, notwithstanding of the Treatie allowing some monthes warning, and of the Parliament of *England* their Commissioners then at *Edinburgh* offering to compose all differences by a Treatie, and the conjunction with the late King's partie under *Langdale*. This invation, as they fancie to themselves, doth demonstrate the justice of their present undertaking. It is unto us matter of much griefe that a backsliding partie in this land did contrive and carry on that unlawfull Engagement, which hath been a seed of so many evils both of sin and affliction in both Kingdomes, and we wish that these engagers be deeplie humbled before the Lord for so great a provocation as long as they live; Yet are we astonished to see those who in their consciences cannot but be convinced of the iniquity of such a ground, now charge it upon this land as the matter of a just quarrel whereupon to found an offensive warre. We do rejoyce before the Lord, that though in many things we have transgressed against Him, Yet have they nothing in that

particular wherewith they can or ought to charge this Kirk and Kingdom, much lesse that which by reason of any accession thereto may be a just ground of warre, which wee do demonstrate by these three reasons : 1. Because not only did the whole ministerie and body of the people of the land joyn in their prayers and supplications, in private and in publick, to God against the same, and the ministers everie where in their sermons beare cleare Testimonie from Gods word against it, and all the Kirk Judicatories, Synods, Presbyteries, and Sessions, and many Committees of warre in the severall shyes petition the Parliament against it, But also a very considerable partie of the Parliament, even those very persons who are now in place and power, did dissent from it, and protest against it in open Parliament ; And as the General Assembly, in the very time of the prosecution of it, did publish to the world a declaration, wherein they prove it contrary to the word of God and to the Covenant, so did those members of Parliament who had from the beginning appeared against it in their judgments and votes, take hold of the first opportunitie for acting against the same and the instruments thereof in armes ; And no sooner had they libertie to sit in a Committee of Estates, but they declared against the same, and the Parliament a little thereafter did disclaime and repeale the same, and all acts relating thereunto. God is witnesse how that Engagement was carried on with a high hand by a prevailing partie of Malignants, against the hearts of all the honest people in the land, and how great affliction it was to their spirits, and how much they suffered in their persons, consciences, and estates in opposing thereof, and refusing to give obedience thereto. Secondly, the House of Commons then sitting at *Westminster* was so farre convinced of the innocencie of this land in that particular, that they themselves, in their letter to the Generall Assembly of the date the                      of                      1648, did bear Testimonie to it in these words. [They are assured, that these impious and unwarrantable actions cannot be done with the approbation and assent of the Religious and well-affected people of the Kingdome of *Scotland*. And that they doe understand that there are very few amongst these who were in the Engagement against them that first engaged with them in the Covenant and cause, but such as are professed enemies to them, however they were content to pretend thereunto that they might the better deceive the people of *England*, And therefore they are unwilling to impute such evils to this Nation in Generall.] And doth not Lieutenant Generall *Cromwel* himself, in his letter to *William Lenthall*, Speaker of the House of Commons, of the 9th of *October* 1648, written from *Dalhousie*, professe that he dare say that that partie (meaning those who carried on the unlawfull Engagement) with their pretences, had not only through the treacherie of some in *England* endangered the whole state and Kingdom of *England*, but also brought *Scotland* into such a condition as that no honest man, that had the fear of God or a conscience of Religion, the just ends of the Covenant and Treaties, could have a being in that Kingdom. Thirdly, the Parliament of *England* did in the same year, in the moneth of *September* or thereabouts, pass votes for the marching of

their Army into *Scotland*, to pursue the remnant of that enemie who had carried on the Engagement, and afterwards for the assistance of these who are now in place and power in *Scotland* against that partie, which votes with their order were sent to Lieutenant Generall *Cromwell*, and he, in obedience thereto, and prosecution thereof, came into *Scotland*, and did at his removall leave two Regiments of horse and two troupes of dragoons in *Scotland*, until the forces then designed by the Committee of Estates were levied, which things prove that both he and the Parliament of *England* were then so farre from looking upon those now in trust as having any hand in the unlawfull Engagement, that they looked upon them as a partie whom they were bound to assist against the oppression and violence of these who carried it on. Since the beginning of the work of God, there hath not been any course promoted by malignants in these Kingdomes which was more openly and clearlie and avowedlie borne testimonie against then that Engagement was by this land, so that there is no more cause why any should charge this upon *Scotland*, then there was cause for the malignants to charge upon it rebellion and disloyalty, and the late King's death, with all those strange and uncouth actings of sectaries in reference to Religion and Government; and we trust that the same Lord who hath vindicated this Kirk and Kingdom from the one, and returned it upon the head of the contrivers of such calumnies, shall also vindicate us from the other, and render the reward of such iniquitie upon those who doe unjustlie charge it upon us. We know that it is alleadged by them that all the Parliament of *Scotland* concurred and designed to make a pray to themselves of the English, though some difference fell amongst them who should have the greatest power of command. But, besides, that this contradicts their own testimonies formerlie alleadged, the dissent and protestation given in by those members of Parliament who opposed the Engagement; the eight desires of the commission of the Generall Assembly; the many petitions from Presbyteries and Synods, and Committees of warre in shyres seconding the same, and desiring satisfaction to their consciences concerning the grounds thereof, Together with the humble representation of the commission upon the Parliament's declaration, and many other publick papers prove that the question was not only about persons who should be intrusted, but about the lawfulness and necessitie of the war, the securitie of religion, the associating with malignants, the undertaking of a war without a previous Treatie, and many other things of great consequence; and those who were then witnes to publick proceedings, and studied to reconcile differences, and beare testimonie how large proffers of satisfaction were made concerning persons and instruments upon condition of concurrence in the warre. And we believe that the commissioners of the Parliament of *England*, who were then at *Edinburgh*, wil deny none of these things, nay, will bear testimony that no endeavors were wanting upon the part of these who dissented from, and protested against the Engagement to make the offers to the Commissioners for composing differences betwixt the Nations effectuell.



The next thing whereby they labour to demonstrate the justice of their invasion is, as they call it, the pretensions of the Kingdom of *Scotland* to matters of their government, and taking upon them to determine what is fundamentall in *England*, and to direct and threaten them if they change not what is now established, and forme to their mind, or accommodate it to their interests, which they usher in and amplifie with a long deduction of their kindnesses to this land by their assistance given to our Army against those at *Stirling* upon the re-iterated invitations of the Committee of Estates for that effect, as they are pleased to alleadge, from which they conclude this Kingdome under a great deale of ingratitude. What their kindnesses unto this land were at that time, we shall not now stand to debate, but if a right reckoning shall be made, sure we are that they are *Scotland's* debtours much more than *Scotland* is theirs. Who was it that raised them out of the dust when they were like to be crushed under the prevailing power of the Popish, Prelaticall, and Malignant Partie? Did not the Lord blesse for that effect the concurrence of the *Scottish* Army with the Forces of the Parliament of *England*, upon the grounds of the Covenant and Treatie, both which the Party who now prevails have troden under foot? And for their coming into *Scotland*, we think themselves will not deny, but it was by the Order and Authority of the Parliament of *England*, for pursuing the common Enemy, and that this order was previous to the sending or coming of any from the Committee of Estates into the army; Neither was the businesse of these who were sent to them to invite them to our assistance, but seeing they had intimate that in obedience to the order received from the Parl. of *England*, they did intend to come into this Kingdom, that they might deal with them so to order their coming, both for the number and quality of the Forces which they should send, that they might neither be a burden nor offence to the Countrey; therefore were they instructed to desire, that the number of the Forces that should be sent into *Scotland*, should not exceed Four Thousand, and to endeavour that Presbyterian Ministers might come in with them, and that no Gentleman, Officer, or Souldier at all, or any other not allowed by the Church, should come hither to preach to any of their Forces, and that none should come here to vent strange opinions, contrary to the Confession of Faith, Catechisme, Directory, and form of Church-Government established by the Houses, nor any wayes disturb the Peace of this Church; but, on the contrary, that they should be such as would be ready to preserve the Doctrine, Discipline, and Government thereof, against the common Enemy, according to the Covenant.

The Kingdom of *Scotland's* pretensions to their Government, and taking upon them to determine what is Fundamentall in *England*, is instanced in the Protestation given in by the Commissioners of this Kingdom at *Westminster*, against their changing of Government, etc., a duty which they could not have omitted, and this Kingdom could not but have owned, unlesse they would have involved themselves in the guilt and scandal of compliance with them in such designs. Was it a fault in the

Kingdom of *Scotland*, who are under so many ties to Monarchicall Government, and under one King and one Covenant with the Kingdom of *England*, and who did fore-see many great prejudices and sad consequences to follow unto both Kingdoms upon the change of Government in *England*? Was it a fault in them, after the use of all other fair means, to protest against the proceedings of a prevailing Party who had usurped upon the Parliament, and not only taken away Monarchie, which was the auncient and long-continued Government of *England*, but also taken away the House of Lords, and destroyed the King? Shall it be lawfull for them who were but servants of the Parliament of *England* to do such things? and shall it not be lawfull to the Kingdom of *Scotland* to protest against them? Or shall such a Protestation, grounded upon the Covenant and Treaty, and Declarations of both Kingdoms and other solid grounds of reason and conscience, and intended as an exoneration of this Kingdom in a necessary point of duty, demonstrate the justice of an Invasion against the makers thereof? Albeit it doth much afflict our spirits to think that the issues of blood, which have run in these Kingdoms these years past, are like to be opened anew again, yet in this we rejoyce, that after that Party hath exercised all their invention for finding out the just grounds of a War against this Kingdom, they can find nothing but the late Unlawfull Engagement, whereof this Land was innocent, and the Protestation against their proceedings, which was a necessary and harmlesse duty.

In the next place, they declare the necessity under which they are concluded to make this present Expedition, which necessity they labour to evince upon two alleageances: One is because, as they affirm, all fair and amicable wayes of procuring a reparation of the great dammages, which their Nation sustained by occasion of the late Invasion, have been rejected and denied, and that by the Parliament of *Scotland*, and Power now ruling, whereby they have owned the wrong and dammages done by that Invasion. But was it not injustice to demand reparation of these dammages from the present Parliament of *Scotland*, and, Power now ruling? they and their adherents having suffered more by that Engagement, because they would not concur therein, then *England* did, and having disclaimed all accession thereto; and upon a demand from the Parliament of *England* of assurance from this Kingdom thereanent, having engaged themselves in the name of the Kingdom of *Scotland*, that none who had been active or consenting to the said Engagement against *England*, or had been lately in Arms at *Stirling* or elsewhere, in maintenance or pursuance of that Engagement, should be employed in any publick place or trust whatsoever, without the advice and consent of the Kingdom of *England*, and that they would be alwayes ready to give satisfaction to the Honourable Houses, in everything which might conduce for strengthening the Union, and settling the Peace betwixt the Kingdoms, as appears by the Letter of the Committee of Estates of the 6. of *October* 1648. And since that time, albeit the Parliament of *Scotland* would not condescend to a Treaty with that Party who now threatens us

with War, lest it should have imported an acknowledging of them for the supreme authority of *England*, who yet were but intruders therein, and usurpers thereupon ; yet did they not refuse all fair and amicable wayes of reparation, but desired to know the particular wrongs and dammage, and upon knowledge thereof, offered to give just satisfaction. The other alleageance whereupon they found the necessity of an Invasion, is, a design and resolution to invade them, which they conclude to be evident from these grounds : First, because the Parliament of this Kingdom upon occasion of their demanding of a Treaty for satisfaction for the former Invasion, do in expresse terms declare themselves Enemies to the Government of their so called Common-wealth ; Secondly, because they have taken upon them in *Scotland* to proclaim *Charles Stewart* King of *England* and *Ireland*, and in their Treaty with him, have promised their assistance against *England* ; Thirdly, because as in the year 1648 a Treaty was refused, and the desires of the Parliament of *England* thereanent answered with the immediat march of an Army into that Land, So the amicable offer of a Treaty for Peace being again refused, another Invasion is to be expected ; Fourthly, because *Scotland* hes equally declared against them as Sectaries, as they have done against those of *Montrose* his Party, putting them in the same rank with Malignants and Papists, etc. Hence they conclude a necessity laid upon them of sending an Army into *Scotland*, for preventing the inconveniences that would follow amongst the people of *England* by an Invasion from hence.

The Lord is witnesse how tender this Kirk and Kingdom hes alwayes been to preserve the Union and Peace betwixt Kingdoms. This was one of the grounds upon which they protested against, and opposed the late unlawfull Engagement, choosing rather to suffer all the injury and violence that the Malignant Party, who carried it on, could do unto them, than to be accessory to an Invasion against *England* : And in order also to this, the Parliament of *Scotland*, in their letter of the 6. of March to the Speaker of the House of Commons, and Instructions sent therewith to their Commissioners 1649, And lately again in another Letter to the same Speaker of the House of Commons, do acknowledge their obligation, and declare their resolutions to observe the rule of remonstrating first the breaches of Peace, of craving just reparation, of using all fair means, of giving a preceeding warning of three Moneths before any Engagement in these Kingdoms in War, and do hold forth this way of procedour in clearing each other, and dealing plainly, as agreeable not only to particular Treaties, and to the many Letters, Bands, and Declarations past betwixt the Kingdoms, but also to the Law of God, and Practice of His People in His Word, and to the Common law and practice of Heathen Nations, much more Christian Covenanted Kingdoms ; and plainly professe their confidence that God, who is in Covenant with these Kingdoms, and did take order with those of this Nation who did unlawfully engage against *England* in the year 1648, doth still live and reign, and will bring shame and ruine upon whatsoever Party, in either of these Nations, that, without a necessary cause and a clear calling, and without observ-

ance of the aforesaid rules and order, shall offend and invade the other Nation. In all which, the Commission of the former Assembly in that late Warning do professe that they do agree with the Parliament in their judgments and resolutions thereanent, and conceive that the whole Land is bound to tread the same steps, and to walk according to the same rules ; but this Letter going upon so clear grounds of reason and conscience, and contributing so much for clearing of the resolutions of this Kingdom in the point of Invasion, albeit sent unto them of late, with an expresse, they have concealed, neither our<sup>1</sup> returned any answer thereto.

As to the first ground whereupon they conclude a design and resolution of this Kingdom again to invade them : It is true that this Kirk and Kingdom have often in their Letters, Protestations, Remonstrances, and Declarations, born testimony against the change of Government, and the late proceedings in *England*, and refused to acknowledge their authority. And this they conceived, and still conceive themselves bound to do, not only in order to the preserving of Peace and Union betwixt the Kingdoms, but also by many other Bands and obligations. But doth a testimony against the sinfulness and unlawfulness of any course, or a refusing to acknowledge unjust usurpations, necessarily infer resolutions to make War upon the Authors and Abettours of these things? The usurpations and tyranny of the Pope hes been often declared and testified against by many Protestant Kirks and States ; was there, therefore, actual purposes and resolutions to make War upon him? Who sees not the weakness of this ground? Neither is the next concerning the King any stronger : Because to proclaim him King of *England* and *Ireland* is not to assume or usurp any authority or dominion over *England*, but only to declare his just title and right to that Crown ; these were no other than the common way stil followed in both Kingdoms since they were united under one King. Was it a fault in *England* to proclaim his Father King of *Scotland*? or would the proclaiming of him King of *France* have proven that these Kingdoms had a purpose to make War upon *France*? As to the third, it doth not hold, that because these who carried on the unlawfull Engagement followed their refusing of a Treatie with *England* with an invasion, that therefore upon the new refusall of a Treatie they have reason to expect another invasion. It is well known that the principles and actings of those who are now in place and power in this land are farre different from the principles and actings of those who carried on the Engagement ; and that the last refusall of a Treatie was not from a resolution to invade, but because the usurping partie in *England* could not be acknowledged for the suprem authoritie of that Kingdom. And for the treatie with the King : As this Kingdome hath gone upon no other grounds then were accorded by the Parliament of both Kingdoms, so have they promised nothing to him but that to which their dutie doth-obleige them, to wit, that they would by al lawful means within their power and calling, according to the Covenant, contribute their endeavours for his

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<sup>1</sup> *Sic* in print, perhaps for *ever*.

peaceable restitution to the government of his other dominions ; and in al resolutions and actings, either in reference to the King or to the defence of the Countrie, We trust that this Kirk and Kingdom shall obtain mercy of God to be far from owning the principles or treading in the paths of the Malignant partie.

For the fourth, This Kirk and Kingdom hath indeed declared against them as Sectaries, as they have done against those of *Montrosse* his party, and have put them in the same rank, on the right hand with papists and Malignants on the left, a duty of which this land needs not to be ashamed, but may still own it before God, Angels, and men. Yet doth not that conclude designs and resolutions against them to invade them, seeing their errours and sinfull courses may well be testified against by many who has no purpose to make war upon them. And as their arguments do not conclude a purpose to invade, so hath there not, for ought that we know, been any such design laid, or any such question hitherto debated, in the publick counsellis of this Land, let be to be using policies either abroad or at home for compleating thereof. They labour to heighten the injury done unto them by these Declarations, by telling the world that this Land cannot but know the faith which they professe, who desire to worship God in the Spirit, rejoycing in Jesus, and have no confidence in the flesh, having their hope of Justification, remission of sins in the Blood of Christ, mourning from their very souls, that any turn that grace into wantonnesse, being ready to bear their witness against them, and desirous that the licentious practices of these who do so, should be punished by the Magistrate : Where to say nothing of their exceeding short coming, That which they do in these words declare in reference to Religion and their actings there about, We desire all the people of God in these Kingdoms to consider how they acquit themselves in these things which they professe, and how these things can consist with their silence at many grosse errors and blasphemies, and with the vast toleration which they allow ; Have we so much from the pretended Parliament, or Councell of State, or Army in *England*, as any publick testimony or witness against the many errors and grosse blasphemies against the Son of God that abound in that Land ? let be any punishment execute upon such by the Civile Magistrate, or any evidence of any purpose to establish either Doctrine, or Worship, or Government in the House of God in that Land. Since they appeal to the knowledge of this Nation, concerning the faith they professe, we cannot but declare that we know it not, unlesse it be a mixture of Arianisme, Socinianisme, Antinomianisme, Familism, Antiscripturisme, Anabaptisme, Erastianisme, and Independencie ; for all these, and many other of that kinde are not only Tollerated, but in effect countenanced and owned amongst them, a thing exceedingly to be bewailed by all who know the truth, and desire to walk therein.

After they have spoken smooth words for themselves, they Declare their thoughts of this Nation, which are, That an Interest of Dominion and profite, under a pretence of Presbitery and the Covenant, is of more value and esteeme with it then the Peace and love of the Gospel, to which all that

may be called Discipline or Government in the Land is and ought to be subordinate, and for which the least violation of the love and peace before mentioned ought not to be. Of what value the peace and love of the Gospel is with the Lord's people in this Land, God and their own conscience doth know, and how far they have been from preferring unto the same any interest of dominion and profit, under pretence of Presbytery and the Covenant, the constant tenour of their actions bears testimony for them, both at home in reference to the King, and abroad in reference to the Kingdom of *England*: Albeit they wanted not opportunities and advantages, which men following an interest of dominion and profit might have made use of for attaining their ambitious and covetous designs; yet have they walked with much moderation, and in the integrity of their hearts kepted their loyalty to the King, and a brotherly correspondence and duty to *England*, without usurping upon them in anything; And being so far from making profit of them that they have lost very much of their blood and means for their sakes. Neither were Presbytery and the Covenant pretences to them; they have alwayes looked upon the one as the Ordinances of Jesus Christ, and that model of Government laid down in His Word, and by which all the Kirks of Christ ought to be ruled unto the End of the World; and upon the other as a most sacred and solemn tye of their duty which they have endeavoured to follow in the simplicity of their hearts. And albeit we are not ignorant whither their ambiguous way of speaking of Discipline and Government doth tend, yet shall we not deny that these things ought to be subordinate to the Peace and Love of the Gospel; And if it be so, then certainly the Peace and Love of the Gospel doth not weaken or destroy, but strengthen and establish Discipline and Government, and whatsoever weakens or destroyes them, cannot be the true Peace and Love of the Gospel, but some other thing, falsly so called.

In the last place, they speak to the ends of their undertakings, which they professe to be not domination, revenge, or worldly gain, but the advancement of God's glory, the furthering of a just freedom, where God shall minister the opportunitie, the procuring of a fit satisfaction for what is past, and the settling a clear security for the time to come against the like injuries and mischiefs. It is to us a great grief of spirit that the Lord's Name should be so prophaned and abused to so impious and unjust actions, and we trust, that He who sees and knowes that these men's way have disgraced the Throne of His Glory, will vindicat His own Name. As for the rest of the motives of their under-taking, which concern freedom, and satisfaction, and security, we can put no other construction upon them, then that they do intend to invade this Land upon a design (under a pretence of freedom) to over-turn Religion and Government, both Civill and Ecclesiastick, and set up here their vast Toleration in Religion, as they have done in *England*, and not only to rob us of the blessing and beauty of the Lord's pure Ordinances, but to bring in bondage the consciences of the People of God, under the oath of some unlawfull engagement, and to redact this Kingdom into a Province, up[on]

which they may prey at their pleasure, under pretence of satisfaction for what is past, and security for the time to come. Which things, all that love Religion or their Countrey in this Land cannot but abhorre to hear.

Therefore, albeit we have a righteous cause, and have done no wrong to those men who devise such things against us, yet it concerns us to be deeply humbled for our many provocations before God, and to pour out our souls before Him, that He may have mercy upon us through Jesus Christ, and save us for His own Name's sake ; and to do it, not in hypocrisy, but in sincerity and truth. It is one of the great challenges of this Land, that albeit we have sought Him when He slew us, yet many amongst us have flattered Him with their mouth, and lyed unto Him with their tongues, for their hearts were not right with Him, neither were they steadfast in His Covenant, therefore many have turned back, and dealt unfaithfully. It concerns all the Inhabitants of the Land to take heed that they do no more so, lest God be wroth, and forsake His Tabernacle, and deliver His strength into captivity, and His glory into the Enemy's hand : And having made peace with God, let us also mind honestly and cheerfully [to] go about all the duties that relate to our own defence. We trust that in such an exigent, no man will value his own things, or care more for his own safetie, and the safetie of his family, than the publick safetie of the Land ; But that every one in his station will lay himself out to the utmost, and neither spare his person, nor pains, nor meanes for the acquiting of himself and encourag[ing] of others. Certainly, they shall afterwards have most peace in themselves who now prove most faithfull and zealous, neither needs any be afraid of the power of the enemy. We have a righteous cause, even the same which the Lord hath countenanced and carried on these yeers over all the strength and opposition of every enemy, and we stand for the defence of our Religion, Lives, Liberties, Countrey, Families, Estates, and every thing that is dear unto us ; And our Consciences do not speak us guilty in any thing before these men, nor is there anything whereof they can justly challenge us. It may be matter of comfort to this Land that there is nothing of the Lord's controversie against us in their quarrell. We entered in a Covenant with them, and helped them in the day of their distresse, and now after all their breach of Covenant at home in their own Land, they have also forgot the Oath of God to usward, and come against us to cast us out of the possession which He hath given us to inherit, or at least to make us slaves therein, in these things that concerns our persons, consciences, and estates. Shall not our God judge them ? Shall they break the Covenant and prosper ? Certainly He whose Oath they have despised shall be a swift witness against them, and bring them upon the curse that goeth forth over the face of the whole earth against the false swearer. We take not upon us to determine events, but the Word of the Lord is true in all generations : He hath shewed himself at all times, and in all the parts of the World, a severe avenger of the breach of the Covenant, especially upon those who have pretended His Name thereto. We desire to remember these men how mighty and terrible the Lord's hand was against those

who carried on the unlawfull Engagement, and to put him who commands their forces in mind of a passage of a Letter of his own, written from *Dalhousie* to the Speaker of the House of Commons, Where, speaking of the pretences of these who carried on the unlawfull Engagement, and of the Lord's taking vengeance upon such profanity, even to astonishment and admiration he writeth thus : " I wish from the bottom of my heart, it may cause all to tremble and repent who have practised the like, to the blaspheming of His Name, and the destruction of His people, so as they may not presume the like again." And we wish that he and all his adherents may take warning from his own words, and so much the rather, because in many things in their proceedings against this Land they tread the steps [of those] who carried on the late Engagement against *England*, especially in breaking the Covenant, and making a War under a collar of fair and specious pretences of God's glory and just freedom, and satisfaction and security, not only without just grounds inducing the lawfulness and necessity thereof, but also without any previous warning given to this Land concerning the same ; And shall not these, who partake in the same sins, fear to partake of the same Plagues ?

Albeit our greatest hazard and most emine[n]t danger be for the present from Sectaries, yet would we not forget altogether the Malignant partie, against whom we have been wrastling these many years. There be still many such in all the three Kingdoms, whose counsels and snares it concerns all these who are in publick trust, especially the King's Majestie, to take heed of and avoid, that he and this Land be not envolved thereby in new meeries and calamities. We look upon it as a rich mercie that God hath inclined his heart to separte himself from those men's counsels, and to swear and subscribe the National Covenant and the Solemn League and Covenant, and joyn himself to his people ; which we trust by the influence of the Grace of God upon his heart, making him act in his royall person in sincerity and truth for all the ends thereof, shall prove a solid foundation of honour and happinesse to himself, and of a lasting peace to all his Subjects, whom we desire not only to pray for him, but to their hearts each one affections to cleave to him, and to obey him and the Parliament and their Committees in all things according to the will of God ; hoping that he shall rule in righteousness and equitie for the honour of God, the good of Religion, and the welfare of his people, and that he will study to order his family after the pattern of the Lord's word, in removing the wicked from him, and having his eyes upon the faithfull of the land that they may dwell with him ; And being in all things an ensample of holiness, righteousness, and sobrietie, which as it is our humble and faithfull advice to the King, so we exhort all those who are in publick trust in the Committee of Estates or otherwayes, not only to take heed of their private walking, that it be sutable to the gospel of Jesus Christ, and of their families and followers, that they be void of offence, but also be straight and faithfull in the Covenant and cause of God, and not to seek themselves, nor befrend any who have been enemies to the Lord's work ; false seeking and conniving at, and complying with, and pleading for Malignants, having



been publick sinnes that have been often complained of; and we wish to God that there were no cause to complain of those things still, notwithstanding of the solemn confessing of them and engaging against them. God forbid that any mock the Lord; He is a severe avenger of all such things; And there is the more reason at this time not to owne Malignants, because it is ordinary for men so to be taken with the sence of the danger that is before them, as not to look back to that which is behind them. There may be inclinations in some to imploy these men, and make use of their people, that we may be strengthened thereby in this and in our neighbour land; But God hath hitherto cursed all such counsellors and blasted such resolutions, and if we shall again fall into this sin, as our guilt shall be so much the greater by reason of so many promises and Engagements to the contrarie, So may we expect a heavier judgment from the Lord upon it. Let us keep the Lord's way, and though we be few and weak, the Lord shall be with us and make us to prosper and prevail. They are not fit for the work of God and for the glorious dispensations of His more then ordinarie workes of power and providence in these times, who can not beleive nor act any thing beyond what sence and reason can make clear unto them, from the beginning to the end of their undertakings; former experiences and present straits call upon us that we should act and follow our dutie in such a way as may magnifie the Lord, and make it known to others that we live by faith. Let no man's heart therefore faint, nor let no man's hands faile him, but let great and small, officers and shouldiers, ministers and people, be strong in the Lord, and doe their duetie as He calles them to it, and let us play the men for our people, and for the cities of our God, and let the Lord doe what seemeth good in His eyes.

A. KER.

*Edinburgh, 19 July 1650, Antemeridiem, Sess. 13.*

A DECLARATION BY THE KING'S MAJESTY TO HIS SUBJECTS OF THE  
KINGDOMES OF SCOTLAND, ENGLAND, AND IRELAND.

His Majesty, taking in consideration that merciful dispensation of divine providence by which he hath been recovered out of the snare of evil counsell, and having attained so full perswasion and confidence of the loyalty of his people in *Scotland*, with whom hee hath too long stood at a distance, and of the righteousness of their cause, as to joyn in one Covenant with them, and to cast himself and his interests wholly upon God, and in all matters Civil to follow the advice of his Parliament, and such as shall be intrusted by them, and in all matters Ecclesiastick the advice of the Generall Assembly and their Commissioners; And being sensible of his duty to God, and desirous to approve himself to the consciences of all his good subjects, and to stop the mouths of his and their enemies and traducers, doth in reference to his former deportments, and as to his resolutions for the future, Declare as follows:

Though his Majesty as a dutiful son be obliged to honour the memory

of his Royall Father, and have in estimation the person of his Mother, yet doth hee desire to be deeply humbled and afflicted in spirit before God, because of his Father's hearkning to and following evil counsels, and his opposition to the work of Reformation and to the Solemn League and Covenant, by which so much of the blood of the Lord's People hath been shed in these Kingdomes, And for the idolatrie of his Mother, the Toleration whereof in the King's house, as it was matter of great stumbling to all the Protestant Churches, so could it not but be a high provocation against Him who is a jealous God, visiting the sinnes of the fathers upon the children ; And albeit his Majesty might extenuat his former carriage and actions in following of the advice and walking in the way of those who are opposite to the Covenant, and to the work of God, and might excuse his delaying to give satisfaction to the just and necessary desires of the Kirk and Kingdom of *Scotland*, from his education and age and evill counsel and company, and from the strange and insolent proceedings of Sectaries against his Royal Father, and in reference to religion and the Ancient Government of the Kingdom of *England*, to which he hath the undoubted right of Succession, Yet knowing that he hath to do with God, he doeth ingenuously acknowledge all his owne sinnes and all the sinnes of his Father's House, craving pardon, and hoping for mercie and reconciliation through the blood of *Jesus Christ*. And as he doth value the constant addresses, that were made by his People to the Throne of Grace on his behalf when he stood in opposition to the work of God, as a singular Testimony of long suffering patience and mercy upon the Lord's part, and loyalty upon theirs, So doth he hope, and shall take it as one of the greatest tokens of their love and affection to him and to his Government, that they will continue in prayer and supplication to God for him, that the Lord who spared and preserved him to this day, notwithstanding of all his own guiltinesse, may be at peace with him, and give him to fear the Lord his God, and to serve him with a perfect heart and with a willing mind all the dayes of his life.

And his Majesty having upon full perswasion of the Justice and equity of all the heads and articles thereof, now sworn and subscribed the national Covenant of the Kingdom of *Scotland*, and the solemn League and Covenant of the three Kingdoms of *Scotland*, *England*, and *Ireland*, Doth Declare that he hath not sworn and subscribed these Covenants, and entred into the Oath of God with his people, upon any sinister intention and crooked design for attaining his own ends, but so far as humane weaknesse will permit in the truth and sinceritie of his heart, and that he is firmly resolved in the Lord's strength to adhere thereto, and to prosecute to the utmost of his power all the ends thereof, in his station and calling, really, constantly, and sincerely all the dayes of his life : In order to which hee doth in the first place Professe and Declare that hee wil have no enemies but the enemies of the Covenant, and that he wil have no friends but the friends of the Covenant. And therefore, as he doth now detest and abhor all Popery, Superstition, and Idolatry, together with Prelacy and all errors, heresie, schism, and profanenes, and resolves not

to tolerate, much lesse allow, any of these in any part of his Majesties Dominions, but to oppose himselfe thereto, and to endeavour the extirpation thereof to the utmost of his power ; So doth he as a Christian Exhort, and as a King Require, that all such of his subjects who have stood in opposition to the Solemn League and Covenant and work of Reformation, upon a pretence of Kingly interest, or any other pretext whatsoever, to lay down their enmity against the Cause and people of God, and to cease to preferre the interest of man to the interest of God, which hath been one of those things that hath occasioned many troubles and calamities in these Kingdoms, and being insisted into, will be so far from establishing of the King's Throne, that it will prove an Idol of Jealousie to provoke unto wrath Him who is King of Kings and Lord of Lords. The King shal alwise esteem them best servants and most Loyal Subjects who serve him and seek his greatnesse in a right line of subordination unto God, giving unto God the things that are God's, and unto Cesar the things that are Cesares, And resolveth not to love or countenance any who have so little Conscience and piety as to follow his interests with a preiudice to the Gospell and Kingdome of *Jesus Christ*, which he looks not upon as a dutie, but as flatterie and driving of self designs, under a pretence of maintaining Royall authority and greatnesse.

II. His Maiesty being convinced in conscience of the exceeding great sinfulness and unlawfulness of that Treatie and peace made with the bloody *Irish* rebels, who treacherously shed the blood of so many of his faithfull and Loyal Subiects in *Ireland*, and of allowing unto them the liberty of the Popish Religion, for the which he doth from his heart desire to be deeply humbled before the Lord ; And likewise considering how many breaches have been upon their part, Doth Declare the same to be voyd, And that his Majesty is absolved therefrom, being truly sorry that he should have sought unto so unlawfull help for restoring of him to his Throne, and resolving, for the time to come, rather to choose affliction than sin.

III. As his Majesty did in the late Treaty with his people in this kingdom, agree to recall and annull all Commissions against any of his Subjects who did adhere to the Covenant and Monarchicall Government in any of his kingdomes, so doth he now Declare, that by commissionating of some persons by Sea against the people of *England*, he did not intend dammage or iniurie to his oppresst and harmlesse subiects, in that kingdom, who follow their trade of Merchandize in their lawfull callings, but only the opposing and suppressing of those who had usurped the government, and not only barre him from his just right, but also exercise an arbitrary power over his people, in those things which concern their persons, consciences, and estates ; And as since his coming into *Scotland* he hath given no Commissions against any of his Subjects in *England* or *Ireland*, so he doth hereby Assure and Declare, that he will give none to their preiudice or dammage, and whatever shall be the wrongs of these usurpers, that he will bee so farre from avenging these upon any who are free thereof, by interrupting and stopping the liberty of trade and

Merchandize or otherwise, that he will seek their good, and to the utmost imploy his Royall power, that they may be protected and defended against the uniust violence of all men whatsoever. And albeit his Maiesty desireth to construct wel of the intentions of those (in reference to his Maiesty) who have been active in Counsell or Arms against the Covenant, Yet being convinced that it doth conduce for the honour of God, the good of His cause, and his own honour and happiness, and for the peace and safety of these kingdoms, that such be not imployed in places of power and trust, He doth Declare that he will not imploy nor give Commissions to any such, until they have not only taken or renewed the Covenant, but also have given sufficient evidences of their integrity, carriage, and affection to the work of Reformation, and shall be declared capable of trust by the Parliament of either kingdom *respectively*: And his Majesty, upon the same grounds, doth hereby Recall all Commissions given to any such persons, conceiving all such persons will so much tender a good understanding betwixt him and his subjects, and the settling and preserving a firm peace in these kingdoms, that they wil not grudge nor repine at his Majesties resolutions and proceedings herein, much less upon discontent act anything in a divided way unto the raising of new troubles, especially since upon their pious and good deportment, there is a regress left unto them in manner above expressed.

And as his Majestie hath given satisfaction to the just and necessary desires of the Kirk and Kingdom of Scotland, So doth he hereby Assure and Declare that he is no lesse willing and desirous to give satisfaction to the just and necessary desires of his good subjects in England and Ireland; and in token thereof, if the Houses of Parliament of England sitting in freedome shal think fit to present unto him the propositions of peace agreed upon by both Kingdomes, he wil not only accord to the same, and such alterations thereanent as the Houses of Parliament, in regard of the constitution of affaires and the good of his Majestie and his Kingdomes, shall judge necessarie, but do what is further necessarie for prosecuting the ends of the Solemn League and Covenant, especially in those things which concerne the Reformation of the Church of England in Doctrine, worship, discipline, and Government; that not onely the directory of worship, the Confession of Faith and Catechisme, but also the propositions and directory for Church Government accorded upon by the Synod of Divines at Westminster may be settled, and that the Church of England may enjoy the full libertie and freedome of all Assemblies and power of Kirk censures, and of all the ordinances of Jesus Christ according to the rule of His own word, and that whatsoever is commanded by the God of Heaven may be diligently done for the house of the God of Heaven. And whatever heretofore hath been the suggestions of some to him, to render his Majestie jealous of his Parliament and of the servants of God, yet as he hath declared, that in *Scotland* he will hearken to their counsell and follow their advice in those things that concern that Kingdom and Kirk, So doth he also Declare his firm resolution to manage the government of the Kingdom of *England* by the advice of his Parliament,

consisting of an House of Lords and of an House of Commons there, and in those things that concern Religion to prefer the counsels of the Ministers of the Gospel to all other Counsels whatsoever ; And that al the world may see how much he tenders the safety of his people, and how precious their blood is in his sight, and how desirous he is to recover his Crown and Government in *England* by peaceable means, as he doth esteem the service of those who first engaged in the Covenant, and have since that time faithfully followed the ends thereof, to be duty to God, and Loyalty to him ; So is he willing in regard of others who have been involved in these late commotions in *England* against Religion and Government, to pass an Act of Oblivion, Excepting only some few in that Nation who have bin chief obstructers of the work of Reformation, and chief Authours of the change of the Government and of the murder of his Royall Father ; Provided that these who are to have the benefit of this Act lay down Arms and return to the obedience of their lawfull Sovereign. The Committee of Estates of the Kingdom and General Assembly of the Kirk of *Scotland*, having declared so fully in what concerns the Sectaries and the present designs, resolutions, and actings of their army against the Kingdom of *Scotland*, and the same Committee and Assembly having sufficiently layd open publick dangers and duties both upon the right hand and upon the left, It is not needful for his Majesty to adde anything thereunto, except that in those things he doth Commend and Approve them, and that he resolves to live and die with them and his loyal subjects, in prosecution of the ends of the Covenant.

And whereas that prevailing party in *England*, after all their strange usurpations and insolent actings in that land, do not only keep his Maiesty from the government of that Kingdom by force of Arms, but also have now invaded the Kingdom of *Scotland*, who have deserved better things at their hands, and against whom they have no just quarrel, His Majestie doth therefore desire and expect that all his good subiects in *England*, who are and resolve to be faithfull to God and to their King, according to the Covenant, will lay hold upon such an opportunity, and use their utmost endeavours to promove the Covenant and all the ends thereof, and to recover and reestablish the ancient government of the Kingdom of *England* (under which for many generations it did flourish in peace and plenty at home, and in reputation abroad), and priviledges of the Parliament and native and just liberty of the people. His Majestie desires to assure himself that there doth remain in these so much confidence of their duty to Religion, their King, and country, and so many sparkles of the ancient *English* valour, which shined so eminently in their noble ancestors, as will put them on to bestir themselves for breaking the yoke of those men's oppressions from off their necks. Shall men of conscience and honor set religion, liberties, and government at so low a rate as not rather to undergo any hazard before they be thus deprived of them ? Wil not all generous men count any death more tolerable than to live in servitude all their dayes ? And wil not posterity blame those who dare attempt nothing for themselves, and for their children, in so good a

cause, in such an exigent? Whereas if they gather themselves, and take courage, putting on a resolution answerable to so noble and just an enterprise, they shall honour God, and gain themselves the reputation of pious men, worthy patriots, and loyall subjects, and be called the repairers of the breach, by the present and succeeding generations; and they may certainly promise to themselves a blessing from God upon so just and honourable undertaking for the Lord and for His cause, for their own liberties, their native King and country, and the unvaluable good and happines of the posterity. Whatever hath formerly bin his Majesties guiltines before God, and the bad successe that these have had who owned his affairs whilst he stood in opposition to the work of God, yet the state of the question being now altered, and his Majesty having obtained mercy to be on God's side, and to prefer God's interest before his own, he hopes that the Lord wil be gracious and countenance His own cause in the hands of weak and sinfull instruments against all enemies whatsoever. This is all that can be said by his Majestie at present to these in *England* and *Ireland* at such a distance; And as they shal acquit themselves at this time in the active discharge of their necessary duties, so shal they be accepted before God, endeared to his Majesty, and their names had in ramembrance throughout the world. Given at our Court at Dumfermline the 16 day of August 1650, and in the second year of our Reign.



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THE END



# REPORT OF THE TENTH ANNUAL MEETING OF THE SCOTTISH HISTORY SOCIETY

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THE TENTH ANNUAL MEETING OF THE SOCIETY was held on Tuesday, October 27, 1896, in Dowell's Rooms, George Street, Edinburgh—Emeritus Professor Masson in the chair.

THE HON. SECRETARY read the Report of the Council, as follows :—

Our Society founded in 1886, has now completed the tenth year of its existence, and has produced, or will have produced before the end of the year, twenty-five volumes.

The Council has great pleasure in announcing that, in commemoration of this our tenth anniversary, Messrs. T. and A. Constable have generously printed an extra volume, as a gift to be presented by them to every member on the roll at the date of publication.

This volume, which is already in type, is a miscellany consisting of the following pieces :—

(1.) A fragment of the lost *Diary of Archibald Johnston, Lord Wariston*, relating to the march of the Scots army, which Wariston accompanied to the Borders, and to the negotiations with Charles I., beginning with May 21, 1639. Edited by Mr. George M. Paul, W.S., from the original manuscript in possession of Mr. Maxtone Graham of Cultoquay and Redgorton.

(2.) *Papers Relative to the Preservation of the Honours of Scotland in Dunottar Castle, 1651-52.* Edited by Mr. Charles R. A. Howden, Advocate, from the manuscript in possession of the Earl of Kintore.

(3.) The Earl of Mar's *Legacie to Scotland, 1726-27.* Edited by the Hon. Stuart Erskine from the original volume in Mar's own handwriting, preserved by the Earl of Mar and Kellie at Alloa House.

(4.) A series of *Letters on the '45, by Mrs. Grant of Laggan* (authoress of 'Letters from the Mountains'), addressed to Sir Henry Steuart of Allanton. The letters, formerly in possession of Mr. Robert Chambers, have been placed at the disposal of the Society by his grandson, Mr. Charles E. S. Chambers, and are edited by Mr. J. R. N. Macphail, Advocate.

No more need be said to show the interest of the volume or the value of the gift.

The Society is already indebted to the firm of Messrs. Constable for some excellent work in another direction. To Mr. Archibald Constable we owe the admirable edition in English of John Major's *Historia Majoris Britanniae*; and at this moment Mr. Walter Blaikie, of the same firm, is passing through the press an *Itinerary* of Prince Charles Edward, with a map specially prepared for it by Messrs. Bartholomew. Mr. Blaikie's *Itinerary*, upon which much labour has been expended, was originally intended to appear in Vol. III. of the *Lyon in Mourning* as an Appendix. But the matter had meanwhile so grown in bulk and importance that it was thought desirable to issue it in a separate cover. It will, however, as already intimated, be considered a part of Vol. III. of the *Lyon*, and will therefore be due to all persons entitled to that volume.

Two of the volumes promised to members for the current year are now in their hands. A third volume, the *Records of the Commission of the General Assembly, 1648 and 1649*, will be issued, it is hoped, in a few weeks.

A list of the works in preparation or in contemplation has already been made public. Mr. A. H. Millar is now seeing through the press the *Accompt Book of Bailie Wedderburne, Merchant of Dundee, 1587-1630*. Through the courtesy of Sir Thomas Thornton, Town-Clerk of Dundee, Mr. Millar has been able to add to the volume the 'Shipping Lists' of that port for 1580-1630, more than covering the period of the *Accompt Book*. These *Shipping Lists*, giving descriptions of cargo as well as names of vessels and their owners, afford curious information on the state of Scottish commerce at that date.

Mr. Fitzroy Bell is also making progress with the *Journals of John Murray of Broughton*, the text of which is already in print. It is expected to be ready in January next.

Mr. Fotheringham has sent to us from the French Foreign Office transcripts of the Correspondence of Montreuil and Bellièvre on Scottish Affairs, 1645-48, with translation, notes and preface complete, ready to go to the printer. Mr. Firth has prepared the materials for a volume on *Scotland during the Protectorate*, as a sequel to his book on *Scotland during the Commonwealth*, and Mr. James Ferguson is busy at work upon the papers relating to the Scots Brigade in Holland. Meanwhile the Council, with the permission of the Faculty of Advocates, has undertaken to publish the five volumes of Walter Macfarlane's Genealogical and Topographical Collections, now in the Advocates' Library. These valuable collections will be printed and issued under the supervision of Mr. Clark, the Keeper of the Library.

During the past year the Society has lost thirteen members—twelve by death and one by resignation. When the vacancies are filled up there will remain eighty-one names on the list of applicants for admission.

According to rule, three members retire from the Council—the Rev. Dr. Sprott; Mr. J. Balfour Paul, Lyon King; and



Mr. A. H. Millar. It is proposed by the Council that Mr Paul be re-elected, and that Sheriff Mackay and Sir John Cowan of Beeslack be appointed in the place of Dr. Sprott and Mr. Millar.

The accompanying Abstract of the Hon. Treasurer's Accounts shows that the income for 1895-96 has been £506, 16s. 5d., and the expenditure £525, 8s., an excess of expenditure over income of £16, 9s. 7d. There is a balance due by the Bank as at October 1896, of £72, 12s.

There has been paid out of the Reserve Fund for transcripts of the Montreuil Correspondence the sum of £25, 17s. 6d., leaving the amount of that fund now at £152, 10s.

The CHAIRMAN intimated a letter of apology for absence from the president, Lord Rosebery, who expressed his delight at the prospects of the Society as represented in the Report.

Sheriff ÆNEAS MACKAY proposed a vote of thanks to Messrs. T. and A. Constable for their generous gift, and to the editors of the various parts of the volume.

Sir JOHN COWAN, Bart. of Beeslack, seconded the motion, which was cordially passed; and Mr. WALTER BLAIKIE acknowledged the compliment on behalf of the firm of Messrs. Constable.

Professor MASSON, in moving the adoption of the report, referred at the outset to the welcome publication of *The Lyon in Mourning*, and he said when they looked forward to what was coming they had a very excellent prospect. There was no appearance of there being any destitution of materials for Scottish history. In fact, the further the Society had advanced the more it had opened up avenues towards materials not previously known to exist. When they looked at what had been published, and looked forward to what had to be published, they could see that perhaps Scotland was almost unique among countries—at all events among small countries—in the possibility afforded to its natives of passing from one spot to another, and from one time to another, and getting more particular information about its historical past. He thought Scotland especially privileged, and partly perhaps by the action of that society in the matter. On looking at *The Life and Letters of Mr. Lockhart*, by Mr. Andrew Lang, he met a phrase from Lockhart which was very remarkable as coming from him, and which

was in itself well worth remembering. It was this—‘When we travel back into the past let us frankly accept all men and all systems in their own sense and in their own spirit.’ That was a very striking saying, and it was worth being quoted at a meeting of that society. The genuine historical spirit strove always to apprehend any transaction in the past in the sense and in the spirit of those who were concerned with it.

Sir THOMAS CLARK, Bart., seconded the adoption of the Report, which was agreed to.

On the motion of Colonel Dods, seconded by Mr. ROBERT ADAM, the chairman, council, and officers were thanked for their services.

The SECRETARY, in acknowledging the vote, remarked that the Council had already in hand material enough to furnish eighteen or twenty volumes. The funds did not at present allow of the issue of three volumes annually—as the Council would wish, in order to overtake the works in preparation more rapidly—but they hoped to give the members at least five volumes in two years.

# ABSTRACT OF THE HON. TREASURER'S ACCOUNTS.

*For Year to 22nd October 1896.*

## I. CHARGE.

Balance in Bank from last year, . . . .	£89	1	7
400 Subscriptions for 1895-96, at			
£1, 1s., . . . . .	£420	0	0
9 in Arrear for 1894-95, . . . .	9	9	0
	<hr/>		
	£429	9	0
Less 5 for 1895-96 paid in ad- vance, . . . . .	£5	5	0
and 3 Arrears for 1895-96, 3 3 0			
	<hr/>		
		8	8 0
	<hr/>		
		421	1 0
50 Libraries at £1, 1s., . . . . .	52	10	0
Copies of previous issues sold to new members, . . . .	28	7	0
Interest on Deposit Receipts, . . . . .	4	18	5
	<hr/>		
Sum of Charge, . . . . .	£595	18	0

## II. DISCHARGE.

### I. *Incidental Expenses—*

Printing Cards, Circulars, and Reports, . . . . .	£13	18	6
Stationery and Receipt-Book, . . . . .	3	8	0
Making-up and delivering copies, . . . . .	13	6	10
Postages of Secretary and Treasurer, . . . . .	3	15	1
Clerical Work and Charges on Cheques, . . . . .	4	9	1
	<hr/>		
		£38	17 6
	<hr/>		
Carry forward,	£38	17	6

		Brought forward,	£38 17 6
II. <i>The Jacobite Attempt of 1719</i> —			
Composition, Printing, and			
Paper, . . . . .	£77 2 0		
Proofs and Corrections, . . . .	43 18 0		
Binding, . . . . .	19 14 0		
Engraving Maps, . . . . .	8 15 0		
	<hr/>		
	£149 9 0		
Less paid to account, 1893-95, .	47 8 0		
	<hr/>		
	£102 1 0		
Illustrations, . . . . .	23 7 0		
Transcripts, . . . . .	7 7 0		
Indexing, . . . . .	3 14 0		
	<hr/>		
		136 9 0	
III. <i>The Lyon in Mourning</i> , Vol. iii.—			
Composition, Printing and Paper,	£88 14 0		
Proofs and Corrections, . . . .	15 12 0		
Binding, . . . . .	18 3 0		
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Proofs and Corrections, . . . .	8 14 0		
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Indexing, . . . . .	4 0 0		
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V. <i>Records of the General Assemblies</i> , Vol. ii.—			
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	£162 9 6		
Less paid to account, 1893-95, .	108 10 0		
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	1896, . . . . .	£72 12 0
	Less 2 Library subscriptions	
	paid in advance, . . . . .	2 2 0
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	Sum of Discharge,	£595 18 0
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	<i>Reserve Fund.</i>	
	As at 26th October 1895, . . . . .	£178 7 6
	Paid in terms of Resolution of	
	Council — Transcripts and	
	Translations of the Montreuil	
	Correspondence, . . . . .	25 17 6
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		£152 10 0
	On Deposit Receipt, 20th October 1896, . . . . .	£152 10 0
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EDINBURGH, 11th November 1896.—The Auditors having examined the Accounts of the Treasurer of the Scottish History Society for the year to 22nd October 1896, and having compared them with the vouchers, find the said accounts to be correct, closing with a Balance in Bank on General Account of £72, 12s., and in Bank on Deposit Receipt, in respect of Reserve Fund, £152, 10s. The subscriptions, paid in advance, amounting to Two Guineas, will be included in next year's Account.

WM. TRAQUAIR DICKSON, Auditor.  
RALPH RICHARDSON, Auditor.

# Scottish History Society.

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## RULES

1. THE object of the Society is the discovery and printing, under selected editorship, of unpublished documents illustrative of the civil, religious, and social history of Scotland. The Society will also undertake, in exceptional cases, to issue translations of printed works of a similar nature, which have not hitherto been accessible in English.

2. The number of Members of the Society shall be limited to 400.

3. The affairs of the Society shall be managed by a Council, consisting of a Chairman, Treasurer, Secretary, and twelve elected Members, five to make a quorum. Three of the twelve elected Members shall retire annually by ballot, but they shall be eligible for re-election.

4. The Annual Subscription to the Society shall be One Guinea. The publications of the Society shall not be delivered to any Member whose Subscription is in arrear, and no Member shall be permitted to receive more than one copy of the Society's publications.

5. The Society will undertake the issue of its own publications, *i.e.* without the intervention of a publisher or any other paid agent.

6. The Society will issue yearly two octavo volumes of about 320 pages each.

7. An Annual General Meeting of the Society shall be held on the last Tuesday in October.

8. Two stated Meetings of the Council shall be held each year, one on the last Tuesday of May, the other on the Tuesday preceding the day upon which the Annual General Meeting shall be held. The Secretary, on the request of three Members of the Council, shall call a special meeting of the Council.

9. Editors shall receive 20 copies of each volume they edit for the Society.

10. The owners of Manuscripts published by the Society will also be presented with a certain number of copies.

11. The Annual Balance-Sheet, Rules, and List of Members shall be printed.

12. No alteration shall be made in these Rules except at a General Meeting of the Society. A fortnight's notice of any alteration to be proposed shall be given to the Members of the Council.

**PUBLICATIONS**  
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*For the year 1886-1887.*

1. **BISHOP POCOCKE'S TOURS IN SCOTLAND, 1747-1760.** Edited by  
D. W. KEMP. (Oct. 1887.)
2. **DIARY OF AND GENERAL EXPENDITURE BOOK OF WILLIAM  
CUNNINGHAM OF CRAIGENDS, 1673-1680.** Edited by the Rev.  
JAMES DODDS, D.D. (Oct. 1887.)

*For the year 1887-1888.*

3. **PANURGI PHILO-CABALLI SCOTI GRAMEIDOS LIBRI SEX.—THE  
GRAMEID: an heroic poem descriptive of the Campaign of  
Viscount Dundee in 1689, by JAMES PHILIP of Almerieclose.**  
Translated and Edited by the Rev. A. D. MURDOCH.  
(Oct. 1888.)
4. **THE REGISTER OF THE KIRK-SESSION OF ST. ANDREWS. Part I.  
1559-1582.** Edited by D. HAY FLEMING. (Feb. 1889.)

*For the year 1888-1889.*

5. **DIARY OF THE REV. JOHN MILL, Minister of Dunrossness, Sand-  
wick, and Cunningsburgh, in Shetland, 1740-1803.** Edited  
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6. **NARRATIVE OF MR. JAMES NIMMO, A COVENANTER, 1654-1709.**  
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7. **THE REGISTER OF THE KIRK-SESSION OF ST. ANDREWS. Part II.  
1583-1600.** Edited by D. HAY FLEMING. (Aug. 1890.)



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*For the year 1889-1890.*

8. **A LIST OF PERSONS CONCERNED IN THE REBELLION (1745).** With a Preface by the **EARL OF ROSEBERY** and Annotations by the **Rev. WALTER MACLEOD.** (Sept. 1890.)

*Presented to the Society by the Earl of Rosebery.*

9. **GLAMIS PAPERS:** The 'BOOK OF RECORD,' a Diary written by **PATRICK, FIRST EARL OF STRATHMORE,** and other documents relating to Glamis Castle (1684-89). Edited by **A. H. MILLAR, F.S.A. Scot.** (Sept. 1890.)
10. **JOHN MAJOR'S HISTORY OF GREATER BRITAIN (1521).** Translated and Edited by **ARCHIBALD CONSTABLE,** with a Life of the author by **ÆNEAS J. G. MACKAY, Advocate.** (Feb. 1892.)

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11. **THE RECORDS OF THE COMMISSIONS OF THE GENERAL ASSEMBLIES, 1646-47.** Edited by the **Rev. Professor MITCHELL, D.D.,** and the **Rev. JAMES CHRISTIE, D.D.,** with an Introduction by the former. (May 1892.)
12. **COURT-BOOK OF THE BARONY OF URIE, 1604-1747.** Edited by the **Rev. D. G. BARRON,** from a ms. in possession of **Mr. R. BARCLAY** of Dorking. (Oct. 1892.)

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13. **MEMOIRS OF THE LIFE OF SIR JOHN CLERK OF PENICUIK,** Baronet, Baron of the Exchequer, Commissioner of the Union, etc. Extracted by himself from his own Journals, 1676-1755. Edited from the original ms. in Penicuik House by **JOHN M. GRAY, F.S.A. Scot.** (Dec. 1892.)
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